



Police Commission

Tuesday, January 28, 2025, 6:00 PM, Zoom/Contois Auditorium, City Hall, 149 Church Street - 2nd Floor

When: Jan 28, 2025 06:00 PM Eastern Time (US and Canada)

Topic: Police Commission

Join from PC, Mac, iPad, or Android:

<https://zoom.us/j/97198005755>

Phone one-tap:

+13052241968,,97198005755# US

+13092053325,,97198005755# US

Join via audio:

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

Webinar ID: 971 9800 5755

International numbers available: <https://zoom.us/j/97198005755>

1. Agenda

1.1. Call to Order

1.2. Roll Call and Determination of Quorum

1.3. Additions or Modifications to Agenda

2. Adopt Minutes

Subject	2.1. Adopt Draft Minutes from November 26, 2024
Meeting	January 28, 2025 - Police Commission - Tuesday, January 28, 2025, 6:00 PM, Zoom/Contois Auditorium, City Hall, 149 Church Street - 2nd Floor
Category	2. Adopt Minutes
Department	City Attorney
Type	
Recommended Action	

3. Public Forum

3.1. The public is invited to address the Commission

4. Police Department Business (Time Limited 20 Minutes)

Subject	4.1. BPD Annual Preliminary Year-End Report covering 2024
Meeting	January 28, 2025 - Police Commission - Tuesday, January 28, 2025, 6:00 PM, Zoom/Contois Auditorium, City Hall, 149 Church Street - 2nd Floor
Category	4. Police Department Business (Time Limited 20 Minutes)
Department	Police Department
Type	
Recommended Action	

Subject	4.2. Chief's Report
Meeting	January 28, 2025 - Police Commission - Tuesday, January 28, 2025, 6:00 PM, Zoom/Contois Auditorium, City Hall, 149 Church Street - 2nd Floor
Category	4. Police Department Business (Time Limited 20 Minutes)
Department	Police Department
Type	
Recommended Action	

5. Commission Business (Time Limited 30 Minutes)

5.1. Review BPD's "Fair and Impartial Policing Policy"

5.2. Commissioner Depper's Annual Plan for the Commission

6. Commendations (Time Limited 5 Minutes)

7. Commissioner Comments (Time Limited 15 Minutes)

8. Executive Session

8.1. Executive Session

9. Adjournment

9.1. Motion to Adjourn

10. Informational and Non-Discrimination Statements

Subject	10.1. 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. This meeting will also air on Town Meeting TV the Wednesday after the meeting, starting at 8:00 pm and repeating at 1:00 am and 7:00 am the following day. 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	January 28, 2025 - Police Commission - Tuesday, January 28, 2025, 6:00 PM, Zoom/Conotois Auditorium, City Hall, 149 Church Street - 2nd Floor
Category	10. Informational and Non-Discrimination Statements
Department	Council and Board
Type	

**Police Commission
Tuesday, November 26, 2024
Remote via Zoom and In-person in Contois Auditorium, City Hall
Burlington, Vermont
DRAFT MINUTES**

Members Present: Jessica Oski (Acting Chair), Jack Keefe, Robert Depper, Mary Cox (Remote), Susan Comerford (Remote)

Staff Present: Jon Murad (Police Chief), Jessica Brown (City Attorney), Kristen Kaichen (Administrative Assistant)

Public Present: Mike Conroy, Todd DeLuca

1. Adopt the Agenda

1.01 Call to Order

Meeting called to order at 6:00 PM by Commissioner Oski.

1.02 Roll Call and Determination of Quorum

All commissioners present except for Commissioner Rao.

1.03 Additions or Modifications to the Agenda

Motion to amend the agenda to add Item 4.3, "All In" Report by Chief Murad and Q&A for 45 minutes.

Motion by Commissioner Cox. No objection.

Final Resolution: Motion Passes

Yes: Unanimous

2. Adopt Minutes

2.01 Motion to Approve and Adopt Draft Minutes from October 22, 2024

Motion to approve the draft minutes from October 22, 2024 as written.

Motion by Commissioner Keefe, Seconded by Commissioner Depper

Final Resolution: Motion Passes

Yes: Unanimous

3. Public Forum

3.01 The public is invited to address the Commission

Mike Conroy spoke to the Commission concerning the state of public safety in Burlington and requested to know the reason Chief Murad resigned in the interest of transparency. Conroy also

noted wondering if the City is treating BPD's needs with enough urgency, in light of the police union survey featured in a recent VTDigger article, and said the City needs to organize more positive press for BPD.

Todd DeLuca of Ward 4 commended Sergeant Vivori and Officer LaCouture for their professional and effective conduct in two separate encounters.

Public Forum closed at 6:15 PM.

4. Police Department Business

4.01 Chief's Report

Chief Murad presented the Department's October report.

4.02 Use of Force Report

There was no use of force report.

4.03 "All In" Presentation by Chief Murad and Q&A

Chief Murad reviewed a presentation given to BPD officers and staff to clarify the Department's goals and mission and speak to rebuilding efforts and obstacles.

5. Commission Business

5.01 Commission Business

Commissioner Cox noted wanting to touch on data at the next meeting.

6. Commendations

6.01 Officer Commendations

Kolby Snellenberger, principal of Edmunds Elementary, extended appreciation for BPD, emphasizing all experiences with officers and staff have been pleasant, and thanked CAIP for its assistance with the school's relocation drill last month.

Lund thanked Chief Murad and BPD for their role in keeping the community safe.

7. Commissioner Comments

7.01 Commissioner Comments

There were no Commissioner comments.

8. Executive Session

8.01 Executive Session

Motion to move for a special finding that premature general knowledge of the Commission's hearing of complaints and personnel matters would clearly place the City or a person involved at a substantial disadvantage.

Motion by Commissioner Depper, Seconded by Commissioner Keefe

Final Resolution: Motion Passes

Yes: Unanimous

Motion to move to executive session based upon the special finding pursuant to 1 V.S.A. 3-13 ald.

Motion by Commissioner Comerford, Seconded by Commissioner Depper

Final Resolution: Motion Passes

Yes: Unanimous

9. Adjournment

9.01 Motion to Adjourn

The Commission adjourned the public meeting at 7:28 PM.



BURLINGTON POLICE DEPARTMENT



2024 Preliminary Year-End Report

1. Staffing & Structure
2. Incident Volume & Incident Data

3. Some Major Events in 2024
4. Rebuilding



1. STAFFING & STRUCTURE



BPD SWORN OFFICER HEADCOUNT, 2015-2025

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 strong police contract was ratified in July 2022 that headcount stabilized. Since then, the BPD has worked to rebuild, but after significant success in 2023, the BPD lost progress and rolled back in 2024.

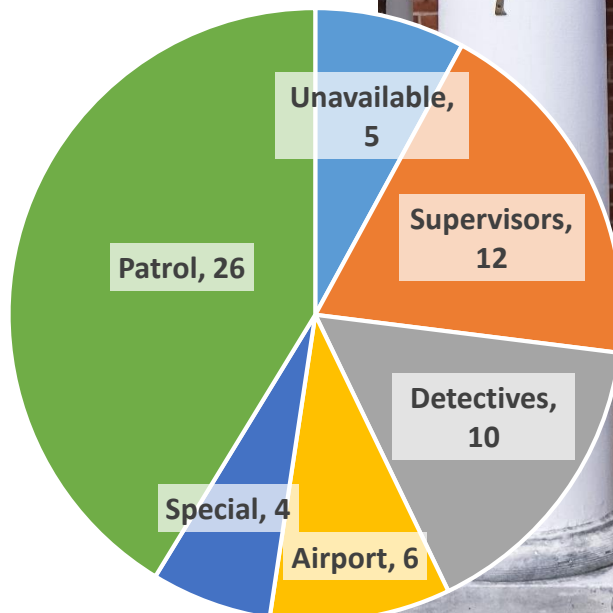


63 TOTAL, 58 EFFECTIVE

We begin 2025 with **63 total sworn officers**, of whom 58 are available to be independently deployed. This is insufficient for Vermont's largest city. Historically, headcount averaged 97; currently we are authorized for 87 officers.

minus 5 limited, military, FTO, etc. = 58
minus 12 supervisors = 46
minus 10 detectives = 36
minus 6 airport officers = 30
minus 4 special assignments = 26

26
officers on Patrol





PUBLIC SAFETY ROLES UNIQUE TO BPD

Public safety is more than police. When sworn-officer staffing began to fall, we created the 2021 Public Safety Continuity Plan. That plan augmented an existing non-sworn role:

- **Community Service Officers** (CSOs),

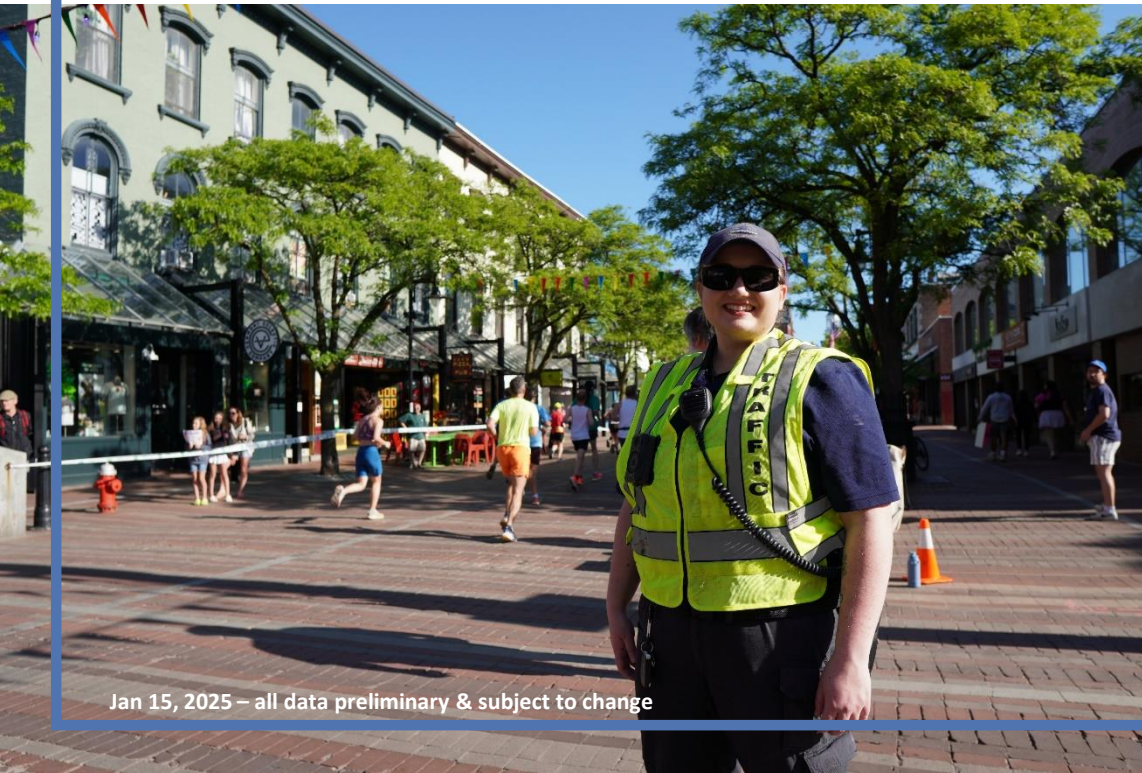
These are unarmed, unsworn officers who answer quality-of-life calls for service. BPD currently has six employees in the role, and **the budget allots us 11 CSOs** (we currently have seven, as of 01/15/25) **and one CSM** (or Community Service Manager). The role is also a stepping stone to becoming a police officer.

**BPD
currently
has 7 CSOs
and 6 CSLs**

The 2021 Public Safety Continuity Plan also created:

- **Community Support Liaisons** (CSLs)

These are embedded social workers with expertise in mental health, substance use disorder, and homelessness. **BPD currently has its full complement of six CSLs**, and **one CSS** (or Community Support Supervisor). The CSLs are the core of our new **CAIP division (Crisis, Advocacy, Intervention Programs)**.

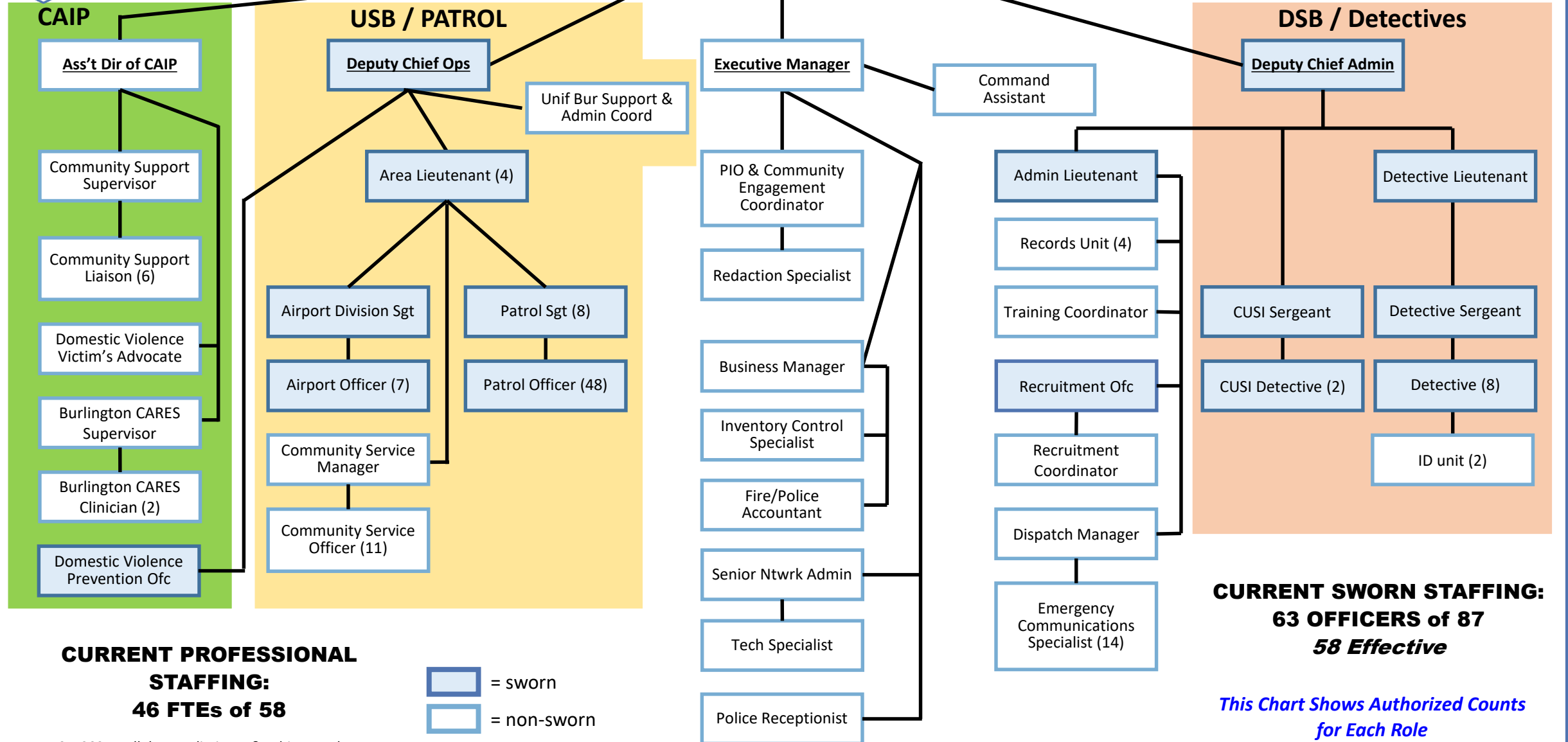


Jan 15, 2025 – all data preliminary & subject to change



FY25 ORG CHART

FY25 AUTH STAFFING: 87 SWORN OFFICERS, 58 PROFESSIONAL STAFF





ALL BPD POSITIONS

The core of everything we do as a department is our people. This table shows the variety of positions along with their staffing: **the number authorized versus the number on staff as of January 1, 2025**. For our professional staff, it also includes the pay grade, which is determined by the City. One professional position was recently regraded, hence the brackets, which refer to the former grade that applied for the FY25 budget.

The BPD is extremely understaffed in its sworn Police Officer and Sergeant ranks. We also have room to grow in our CSO ranks. For more information on both, see Section 4 of this report.

[Note: since January 1st the BPD has added one CSO on January 13, which is not reflected in this table. Additionally, in January 2025 the BPD will lose one lieutenant to retirement on January 21 and we anticipate adding one sworn officer (a new police recruit) on January 27. Those are also not reflected in this table.]

	SWORN POSITION	# AUTH	# ON STAFF
1	Chief	1	1
2	Deputy Chief	2	1
3	Lieutenant	6	6
4	Sergeant	11	5
5	Police Officer	67	50
		87	63

	PROFESSIONAL POSITION	GRADE	# AUTH	# ON STAFF
1	Application and Technology Support Specialist	15	1	1
2	Assistant Director of CAIP	24	1	1
3	Beach & Parks Patrol (seasonal)		x	x
4	Burlington CARES Clinical Supervisor	20	1	1
5	Burlington CARES Clinician	19	2	1
6	Business Manager	20	1	0
7	Command Assistant	15	1	1
8	Community Service Manager (CSM)	18	1	1
9	Community Service Officer (CSO)	15	11	6
10	Community Support Liaison (CSL)	18	6	6
11	Community Support Supervisor (CSS)	20	1	1
12	Criminal Identification Technician	18	2	2
13	Digital Media Redaction Specialist	14	1	1
14	Domestic Violence Victims Advocate	17	1	1
15	Emergency Communications Manager (ECM)	19	1	1
16	Emergency Communications Specialist (ECS)	17	14	12
17	Executive Manager	21	1	1
18	Inventory Control Specialist	16	1	1
19	Police / Fire Accountant	18	1	1
20	Police Receptionist	13	1	0
21	Police Recruitment and Hiring Coordinator	16	1	1
22	Public Info & Community Engagement Coordinator	18	1	1
23	Records Clerk	[13]	4	4
24	Senior Network Administrator	19	1	0
25	Training and Special Projects Coordinator	18	1	1
26	Uniform Bureau Support & Administrative Coordinator	16	1	1
			58	47
			145	110



2. INCIDENT VOLUME & INCIDENT DATA



INCIDENT VOLUME, FULL YEAR



Incidents in 2024 were down 3% compared to 2023. They were up 6% over 2019.
BPD addressed more incidents than in 2019 with 50% fewer patrol officers than in 2019.
Of the 30,110 incidents in 2024, the BPD “stacked” 3,959, or 13%.
Additionally, 1,570 were taken via online reporting, or 5%.

	INCIDENTS	%Δ
2019	28,475	100%
2020	23,592	↓17%
2021	21,586	↓9%
2022	25,190	↑17%
2023	30,883	↑23%
2024	30,110	↓3%
	Δ 2019 to 2024:	↑6%

It should be noted that not all incidents are crimes. They are more accurately “calls for service.” As shown on the next 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.



REVISED PRIORITY RESPONSE PLAN

Twenty-six officers on patrol is not adequate for a city of our size or BPD's call volume. Accordingly, we have created 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" initially receive a response from a CSO, 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 a Child	Illegal Dumping	CSO	Robbery
Airport AOA Violation	Cruelty to Animals	Impeding a Public Officer		Runaway
Airport Duress Alarm	Custodial Interference *	Impersonation of a Police Officer *		Runaway Apprehension
Airport PHASE Alarm *	Disorderly Conduct *	Inciting a Felony		Search
Alcohol Offense	Disorderly Conduct by Elec Comm	Intoxication	CSO	Search Warrant
Animal Problem	Disturbance	Investigation - Cold Case		Sex Offender Registry Violation
Arrest on Warrant	DLS	Juvenile Problem *		Sexual Assault
Arson	Domestic Assault - Felony	Kidnapping		Sheltering/Aiding Runaway
Assault - Aggravated	Domestic Assault - Misd	Larceny - from a Building		SRO Activity
Assault - Simple	Domestic Disturbance	Larceny - from a Motor Vehicle		Stalking
Assist - Agency	Drugs	Larceny - Other		Stolen Vehicle
Assist - Car Seat Inspection	Drugs - Possession	Larceny from a Person		Subpoena Service
Assist - K9	Drugs - Sale	Lewd and Lascivious Conduct		Suicide - Attempted
Assist - Motorist	DUI	Lockdown Drill		Suspicious Event *
Assist - Other	Eluding Police	Mental Health Issue *		Theft of Rental Property
Assist - Public	Embezzlement	Minor in Possession of Alcohol		Theft of Service
Background Investigation	Enabling Consumption by Minors	Missing Person		Threats/Harassment *
Bad Check	Escape	Motor Vehicle Complaint	CSO	Traffic
Bar / Liquor License Violation	Extortion	Noise	CSO	Trespass *
Bomb Threat	False Info to Police	Obstruction of Justice		TRO/FRO Service
Burglary *	False Pretenses	Operations		TRO/FRO Violation
CHINS	False Public Alarms	Ordinance Violation - Other	CSO	Unlawful Restraint
Community Outreach	False Swearing	Overdose		Untimely Death
Compliance Check	Fireworks	Parking	CSO	Use of Elec Comm to Lure a Child
Computer Crime	Foot Patrol	Possession of Stolen Property		Uttering a Forged Instrument
Contributing to Delinquency of Minor	Forgery	Prescription Fraud	ONL	Vandalism
Counterfeiting	Found/Lost Property	Prohibited Acts		VIN verification
Crash - Fatality	Fraud	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	Hindering Arrest	Resisting Arrest		Welfare Check *
Crash - Property damage only	Homicide	Retail Theft		
	Identity Theft	Roadway Hazard		



RATIONALE FOR THE PLAN

Why did the BPD create the Priority Response Plan?

Police Staffing ↓ **Incident Volume** ↑

**Since July 01 2020, staffing has fallen by nearly 30 sworn officers.
During that time, incident volume has risen.**

The Priority Response Plan is not optimal, but the Chief of Police has sought to make the Plan as non-disruptive as possible. In fact, many other cities with smaller staffing declines have implemented more severe measures. Regardless, the Priority Response Plan is not how the Burlington Police Department wants to police. Before implementing the plan in May 2021, the BPD's default was to respond to every call. That is not possible with current staffing. But we are working to create new resources and hire new officers to return to that default posture again.

Our goal is to achieve a healthy staffing level with a variety of roles that allows us to deliver the service that our neighbors deserve, and that the people of the BPD *want* to provide.



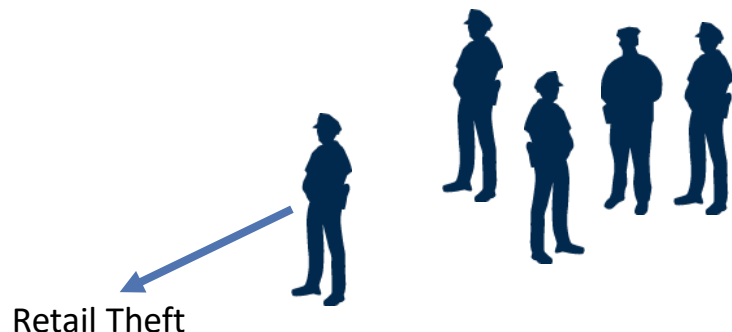
HOW THE PRIORITY RESPONSE PLAN WORKS

When only two or fewer officers are available, the Priority Response Plan goes into effect.

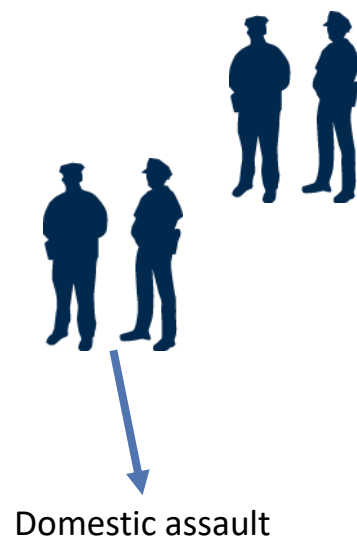
1. In this example, there are five non-supervisory officers assigned to the day shift. They respond to every call for service in the order the calls come in.



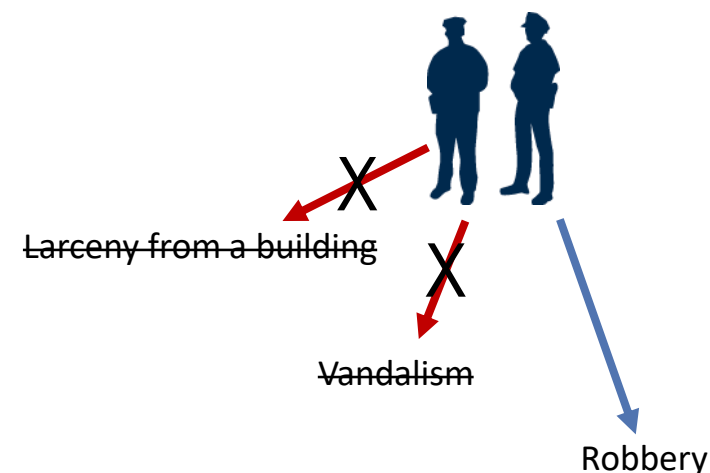
2. Dispatch receives a call about a retail theft, which is a Priority 3 call for service. Officer 1 responds, leaving Officers 2, 3, 4, and 5 available.



3. Officers 2 and 3 are dispatched to a Domestic Assault call, which, like most Priority 1 incidents, requires a two-officer response. Now only Officers 4 and 5 remain. At this point, the Priority Response Plan goes into effect.

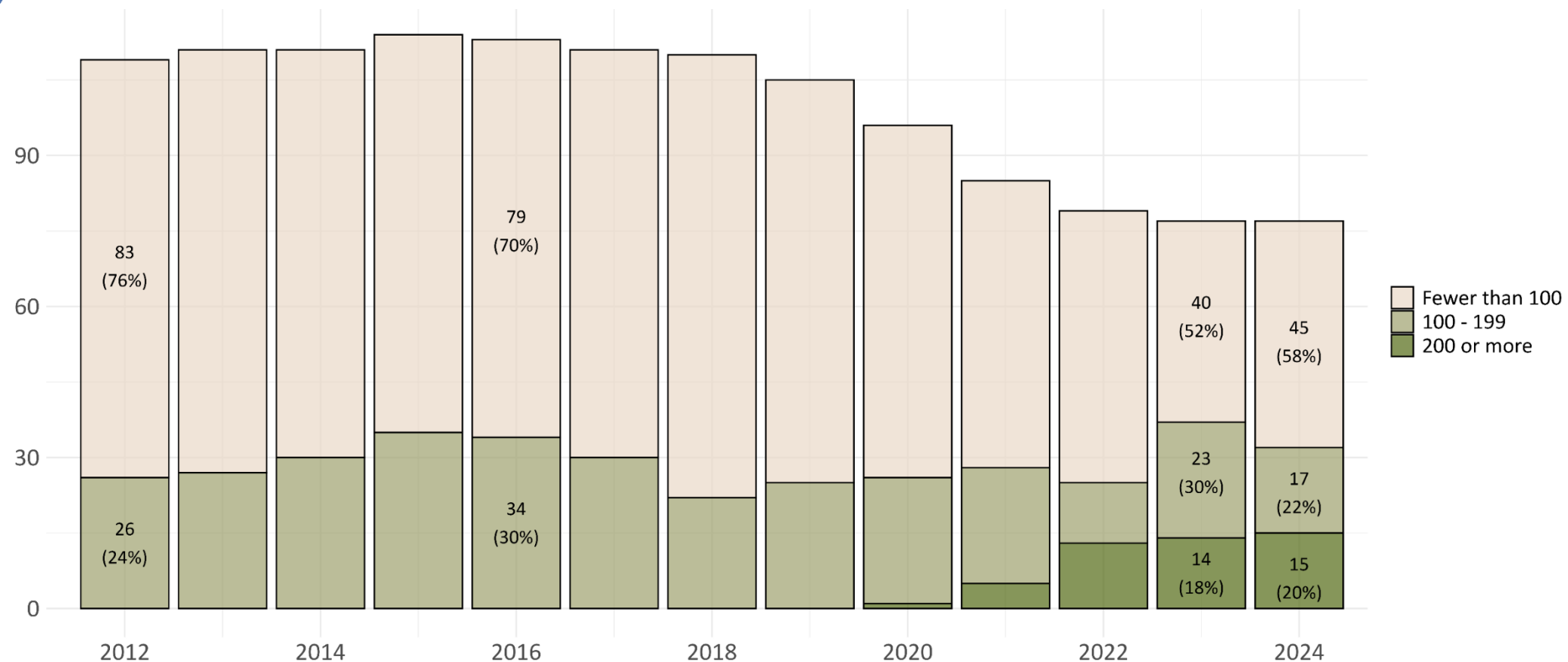


4. Officers 4 and 5 have to remain available in case of a Priority 1 life-safety incident like a robbery. If anything other than a Priority 1 comes in—a report of vandalism or a larceny, for example, which are Priority 3 calls—the call will be “stacked” until more than two officers are once again available.





FREQUENCY OF PRIORITY 1 RESPONSE PER OFFICER



'Stacked - No Response' incidents removed
Data through 12/31/2024

Prior to 2020, no single officer had ever responded to more than 200 Priority 1 incidents in a year. In 2023 and 2024, half the officers assigned to Patrol did just that, and all of the full-year Patrol cops responded to more than 100 such incidents.

Note: The total number of officers per year is derived by recording any sworn employee who was employed at any given time during the year. Therefore, each year may tally higher than the total headcount at any given snapshot period such as the first-of-the-month snapshots on slide 3.



SELECTED VALCOUR INCIDENTS, FULL YEAR

	Assault – Agg ¹	Assault - Simple	Burglary	Crash w Injury or Fatal	Disorderly Conduct	Domestic Assault ²	Domestic Disturb	Gunfire	Larceny (all) ³	Mental Health Issue	Nonfatal Overdose ⁴	Robbery	Sexual Assault	Stolen Vehicle	Traffic
2019	50	154	105	92	139	75	529	3	742	765	58	22	49	55	1,963
2020	53	144	108	54	156	50	593	12	772	946	100	20	60	62	1,169
2021	65	161	204	90	143	42	601	14	1,106	957	145	12	43	139	665
2022	67	178	180	104	139	46	551	26	1,550	1,237	252	19	40	346	399
2023	58	195	199	123	95	47	460	16	1,706	1,029	430	22	34	311	764
2024	96	169	186	109	101	47	447	15	1,489	1,059	583	26	30	184	858

1 = includes incidents categorized as “Homicide (attempted)”

2 = combines incidents categorized as “Domestic Assault – Felony” and “Domestic Assault – Misdemeanor”

3 = combines incidents categorized as “Larceny from a Person,” “Larceny – from a Building,” “Larceny – from Motor Vehicle,” and “Larceny – Other”

4 = fatal overdoses are not included; they are categorized separately from nonfatal overdoses, and are aggregated with all other “Untimely Death” incidents

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 or employee who responds to the scene and/or the detective who takes the case. Offense data and/or NIBRS data may differ.



2024 vs 2023

Comparing 2024 to 2023.

From 2023 to 2024, the BPD pushed many categories, including property crimes, in the right direction. Robberies, overdoses, and felony assaults are up, however.

Numbers from which percentages are drawn are on the previous page (except "Retail Theft").

Stolen Vehicle	↓	41%
Retail Theft	↓	30%
Simple Assault	↓	13%
Larceny	↓	12%
Crash w/ Injury/Fatal	↓	11%
Sexual Assault	↓	9%
Gunfire	↓	6%
Burglary	↓	6%
Domestic Disturbance	↓	3%
Domestic Assault		no change
Mental Health Issue	↑	3%
Disorderly Conduct	↑	5%
Robbery	↑	14%
Overdose	↑	36%
Aggravated Assault	↑	67%



2024 vs FIVE-YEAR AVG

Year-to-year comparisons are sometimes too short. To get a sense of how 2024 compares to historic norms, this compares the five-year average, from 2019 to 2023, to 2024. In this context, the BPD still has a way to go.

Numbers from which percentages are drawn are on slide 14 (except "Retail Theft").

Sexual Assault	↓	31%
Disorderly Conduct	↓	25%
Domestic Disturbance	↓	18%
Domestic Assault	↓	10%
Stolen Vehicle	↑	1%
Simple Assault	↑	2%
Gunfire	↑	7%
Mental health Issue	↑	7%
Burglary	↑	18%
Crash w/ Injury/Fatal	↑	18%
Robbery	↑	25%
Larceny	↑	27%
Retail Theft	↑	57%
Aggravated Assault	↑	64%
Overdose	↑	197%



AoW AND VCR

In 2023, the BPD made 1,689 arrests. In 2024, the BPD made 1,686 arrests. In both years, more than a third of arrests involved arrestees who were arrested five or more times in the year.

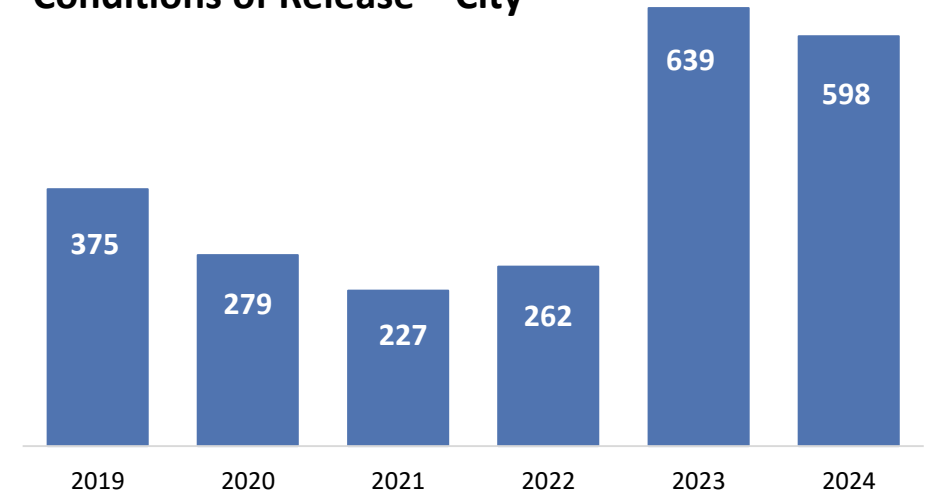
This can be seen in the increase in arrests on warrants and arrests for violations of conditions of release.

Warrants are most often issued by the court when a previously arrested and arraigned person fails to appear at a subsequent hearing or trial.

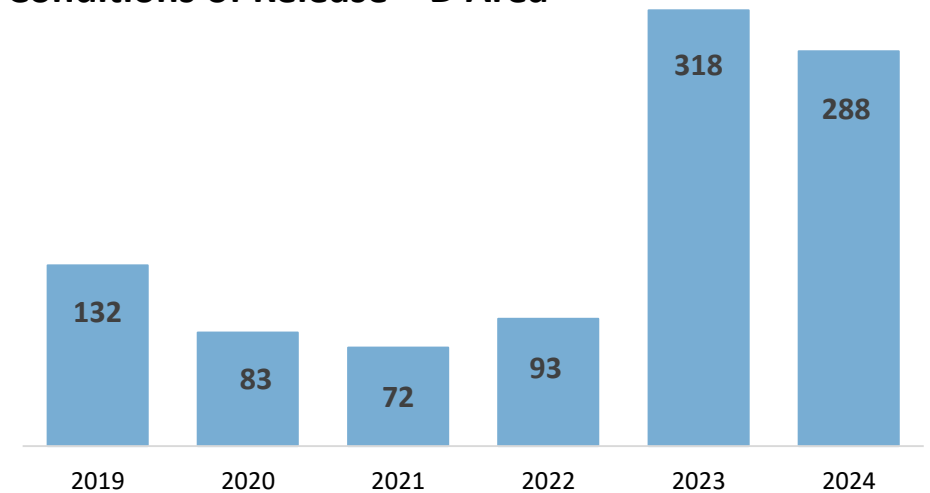
Conditions of release are given to persons that the court does not jail, but instead allows to leave under the condition that the person follow certain rules, such as a curfew, or prohibitions against using alcohol or possessing weapons.

Over the past two years, 2023 and 2024, the BPD has seen a tremendous increase in arrests on warrants and violations of conditions of release. By definition, these are arrestees who have not followed the court's rules. The phenomenon is particularly pronounced in D Area, which is the downtown core.

Arrest on Warrant / Violation of Conditions of Release – City



Arrest on Warrant / Violation of Conditions of Release – D Area





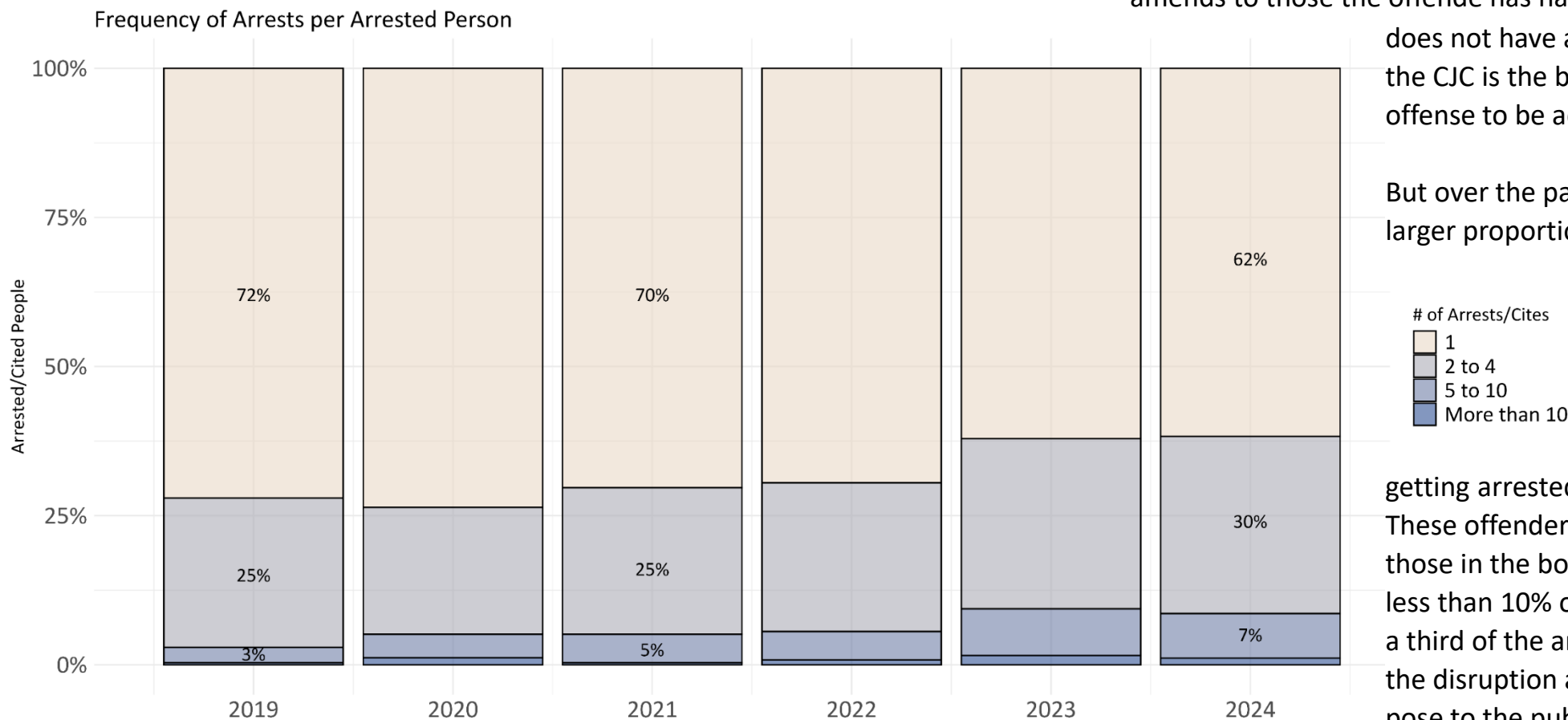
ONE & DONE vs FREQUENT FLYER

The majority of people who get arrested in a given year are only arrested once. It's not an experience most people want to repeat. These are the people for whom alternative justice like that provided by the Community Justice Center (CJC) is not only the right choice, it's a better choice—more efficient and more impactful. If an offender can take responsibility and make amends to those the offense has harmed, and if the offender

does not have a long history of offending, the CJC is the best place for that offender's offense to be addressed.

But over the past few years, larger and larger proportions of arrestees have been

getting arrested more and more often. These offenders are not eligible for CJC, but those in the bottom bands in the graphic—less than 10% of arrestees—are involved in a third of the arrests. How then to address the disruption and danger these offenders pose to the public?



Jan 01, 2025 – all data preliminary & subject to change



“TOP TEN” RECIDIVISTS

MOST BPD ARRESTS, 2023		
PERSON	ARREST	VALCOUR
A0123	25	43
A0223	22	83
A0323	19	54
A0423	19	50
A0523	17	74
A0623	17	73
A0723	16	70
A0823	14	37
A0923	13	82
A1023	13	36
A1123	13	49

MOST BPD ARRESTS, 2024		
PERSON	ARREST	VALCOUR
B0124 [A0223]	46	114
B0224	30	187
B0324 [A0723]	25	90
B0424	14	15
B0524	14	23
B0624 [A0423]	14	62
B0724	13	64
B0824	12	51
B0924	12	86
B1024	10	26
B1124	10	40

At the extreme edge of the issue are the offenders with more than ten arrests in a given year—i.e., the offenders who are contained in those tiny dark-blue slivers at the bottom of each column on the previous slide. Among these offenders, the number of times each has been arrested by the BPD is growing.

The table at left shows the “Top Ten” arrestees in 2023 and 2024 (in each year there are 11, not ten, because of ties). It also compares the number of each person’s Burlington arrests with the number of each person’s Burlington police encounters (Valcour incidents). (Many if not all of these individuals have arrests and encounters in other communities, but this table tracks those that occurred in the Queen City.)

Persons in 2024 with a bracketed number were also on the “Top Ten” list in 2023.



VCR IN VT

One additional piece of context for the AOW/VCR data on the previous slide is shown here. This table compares, county by county, the dispositions when a criminal is arrested and brought before the court for violating his or her conditions of release. In Chittenden County, more than any other, the person has that violation dismissed. (The data is for 2022 and 2023, not 2024.) **The Chittenden County court has a significant backlog of cases—as of December 12, 2023, data from the State’s Attorney showed 3,049 pending cases, including 18 murders and attempted murders, 142 aggravated assaults, and 137 burglaries.**

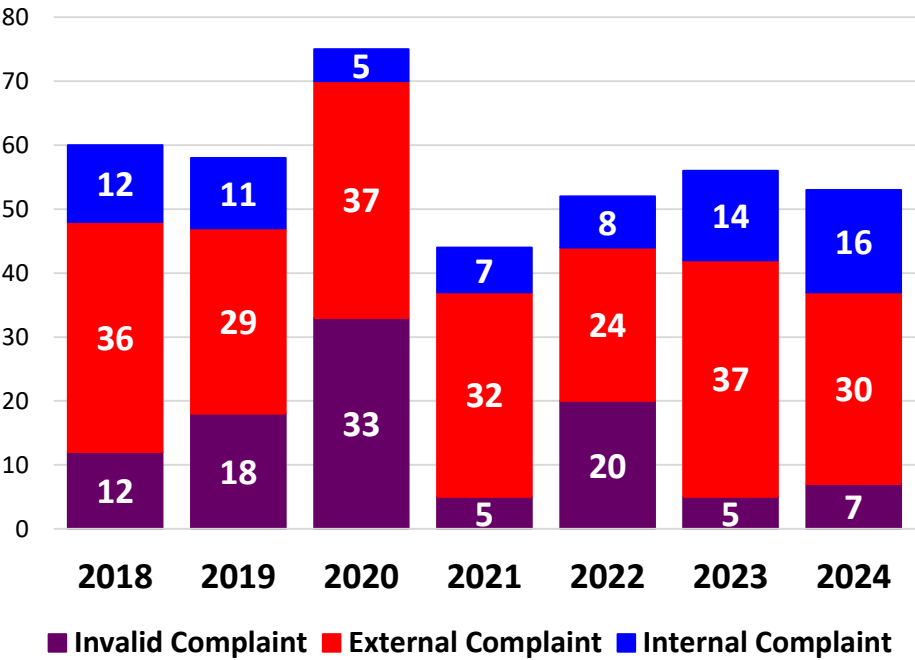
Dispositions of Charges of Violations of Conditions of Release 2022-2023

County	Alternative Disposition	Dismissed	Guilty	Nolle Prosequi	Missing	TOTAL	%age guilty	%age dismissed / nolle
Addison	1	2	20	83	0	106	19%	80%
Bennington	4	2	81	535	0	622	13%	86%
Caledonia	2	10	123	270	1	406	30%	69%
Chittenden	0	24	43	566	8	641	7%	92%
Essex	0	1	40	35	0	76	53%	47%
Franklin	3	14	79	322	19	437	18%	77%
Grand Isle	0	5	17	36	1	59	29%	69%
Lamoille	9	15	44	154	5	227	19%	74%
Orange	0	0	17	176	0	193	9%	91%
Orleans	1	13	282	371	2	669	42%	57%
Rutland	2	10	94	386	3	495	19%	80%
Washington	3	14	232	547	12	808	29%	69%
Windham	0	3	219	439	3	664	33%	67%
Windsor	2	13	50	297	5	367	14%	84%

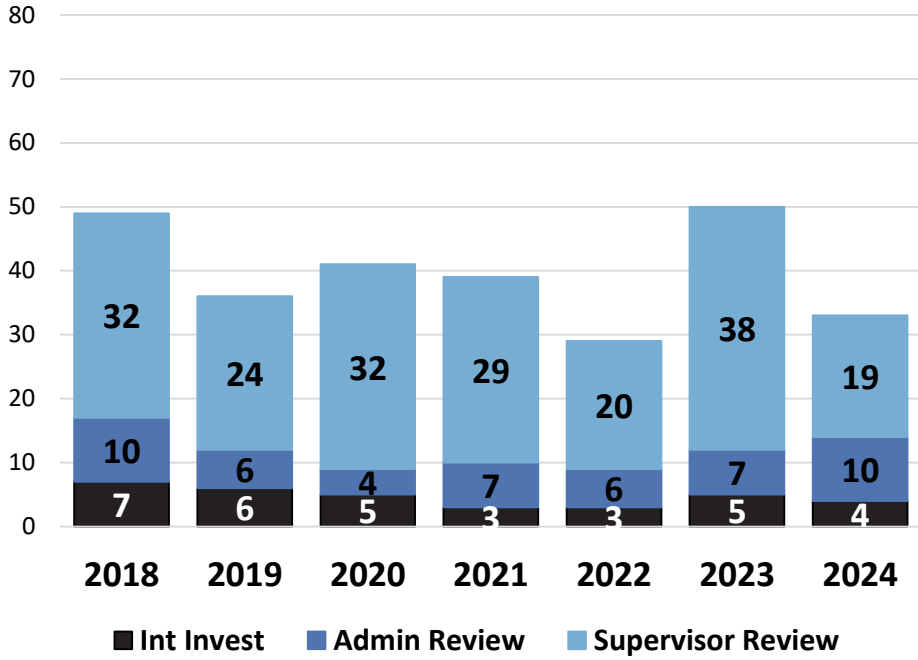


DISCIPLINE AND OVERSIGHT

COMPLAINTS



REVIEWS



As serious as we are about accountability for offenders, the BPD is serious about accountability for its employees, as well. For the BPD, citizen complaints and discipline are now codified in a way that fosters transparency, consistency, and fairness. For several months in 2024, we worked with the Police Commission, the Human Resources Department, the City Attorney’s Office, and the BPOA to overhaul our process completely. The new directive, [DD40 External and Internal Complaints, Supervisor Reviews, Administrative Reviews, Internal Investigations & Discipline](#), delineates a thorough, specific, fair process. **It ensures that citizens—the independent Burlington Police Commission—have input into oversight.** This slide retroactively applies the directives new definitions to previous years’ cases for some context around the volume of complaints and discipline.



IF YOU HAVE A CRIME OR AN EMERGENCY,

CALL 9-1-1

The Priority Response Plan described in these pages applies to non-emergency incidents when life-safety is **NOT** at stake.

Life-safety incidents **WILL** receive a police response.

Call **9-1-1**, not dispatch, for in-progress incidents when people or property are at immediate risk.



BPD NON-EMERGENCY PHONE TREE EXTENSIONS

To report a crime or an in-progress incident, or for emergency services, please call 9-1-1.

Non-Emergency Phone Number: (802) 658-2704

Press 1 for Parking

This will route you to the Parking Department. If you suspect your vehicle has been towed, have a question about parking, received a parking ticket, or had issues with a parking meter, your inquiry should be directed to the Parking Department, which is not part of the BPD

Press 2 for Records Division

The Records Division assists with completing requests for records associated with BPD, including FOIA requests. You may have to leave a voicemail. If you are calling to make a request, please [submit your requests online](#). If assistance is needed with filing a request, the Community Support Liaison team can provide support (option 7).

Press 3 for Recruitment Division

Recruitment staff can assist with any questions related to employment at the BPD. You may have to leave a voicemail.

Press 4 for Property Division

The Property Division assists with the retrieval of personal property and is to be used for picking up your property. **This is not to be used for reporting any lost or found property**, which should be done through dispatch (option 9). The pick-up hours for property are 9AM to 10AM or 4PM to 5PM, Monday through Friday.

Press 5 for Fingerprinting Appointments and Permitting Applications

The Uniform Bureau Support & Administrative Coordinator is responsible for scheduling these appointments and processing permit applications. You may need to leave a voicemail. For faster service, please visit the [Services & Guidance](#) page of our website.

Press 6 for Alarm Billing and Accounting

You may need to leave a voicemail for the BPD Accountant.

Press 7 for Community Support Liaison (CSL) Team

The CSL team can assist with navigating issues associated with identified social service needs or provide guidance on how to navigate other quality-of-life problems in the community. CSLs typically work 8AM to 8PM, most days of the week. In-progress events such as welfare checks should be requested through dispatch (option 9).

Press 8 for Animal Issues, Noise Complaints, or Accidents without Injury

The Community Service Officer (CSO) Team works 7 days a week, typically 8AM to 2AM. If you need assistance with a non-injury vehicle crash, an animal issue, or a noise complaint, please use 9-1-1. CSOs spend a lot of time in the community, so this option may lead to a voicemail. **DO NOT USE THIS NUMBER TO FILE A CSO REPORT.**

Press 9 for Dispatch

This will bring you to a live person in our Dispatch Center. **For in-progress incidents, particularly those that involve crimes or life-safety, you must call 9-1-1.** Direct calls to Dispatch should only be used for late-reported events, or events where a critical response is NOT needed.



3. SOME MAJOR EVENTS IN 2024



HOSTAGE SITUATION AT T RUGGS TAVERN



Monday, January 22

HOSTAGE STANDOFF ENDS WITH ARREST



6:18
27°



BATTERY STREET ENCAMPMENT

On January 29, 2024, Community Support Liaisons (CSLs) from the BPD's Crisis Assessment Intervention Programs (CAIP) team, police officers, and partners from Burlington Parks Recreation & Waterfront (including Director Cindi Wight) and the Department of Public Works cleared out the remains of a dangerous, unlawful encampment along Battery Street and on "the shelf" —a ledge in the hillside down hill from the Battery Street greenbelt.

A month earlier, on December 28, a serious fire had broken out in the camp, highlighting the danger. Led by AD CAIP Lacey Smith of BPD and others, multiple city departments collaborated to follow our protocols for noticing campers of the pending closure while working with them to find safer options for shelter.





ARSON AT SENATOR SANDERS'S OFFICE

On Friday April 5, 2024, a perpetrator set fire to the office vestibule of United States Senator Bernie Sanders on Church Street. The arsonist was recorded on security video spraying a liquid near the outer door of the office and then lighting the area with a handheld lighter. A blaze quickly began while the suspect fled via a staircase.

No one was injured in the fire, and the Senator was not in the office at the time, but members of his staff were. The fire caused significant damage to the vestibule, but, as with the arson the BPD experienced at our headquarters at One North Avenue in November 2023, the activation of the sprinklers caused additional property destruction.

Burlington detective Eric Kratochvil worked with our partners at the federal Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to identify Shant Soghomonian, 35, also known as Michael Soghomonian. Police arrested him in Shelburne less than 48 hours after the crime.

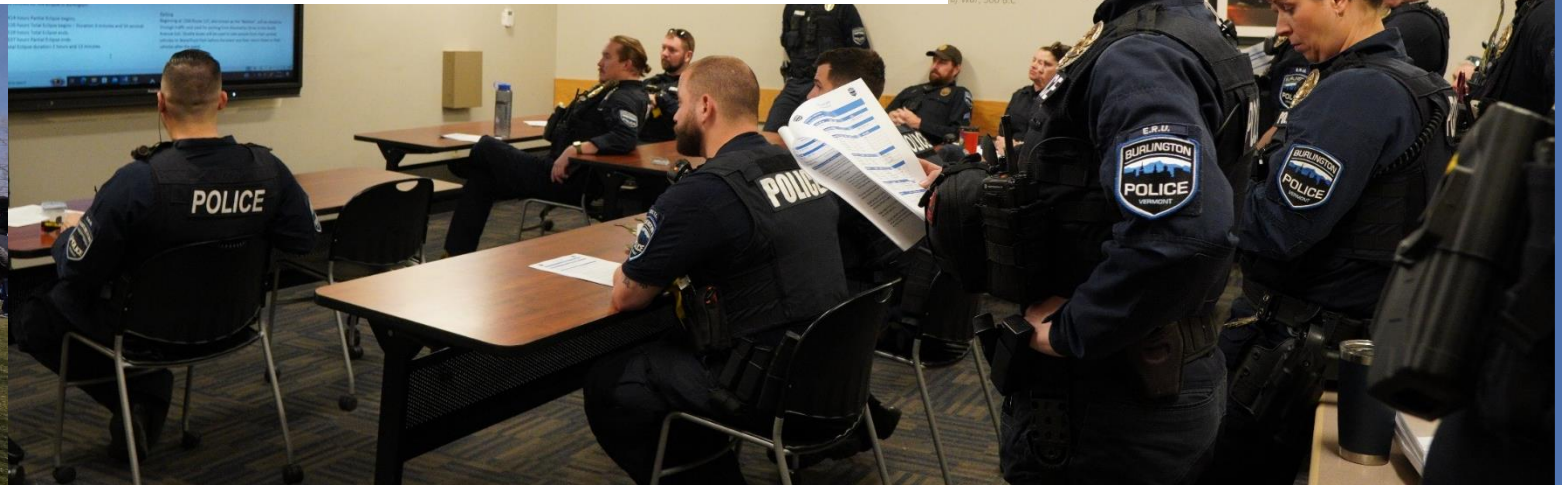




IT WAS “TOTALITY” AWESOME!



On April 8, 2024, Burlington was in the “path of totality” for a total solar eclipse. The city experienced more than three minutes of totality. The BPD worked with state and local agencies to prepare. Locally, Festival and Event Director Zach Williamson at BCA led city meetings with Fire, Police, DPW, Parks, and others in planning for this once-in-a-lifetime astronomical event. Hotels sold out, and traffic got bad. But it was an amazing event.





2023 AWARDS



hosted the BPD at our annual awards ceremony, recognizing extraordinary conduct in 2023, attended by employees, family members, awardees, Mayor Emma Mulvaney-Stanak, and others. Among the award recipients:

- The **Emergency Response Unit (ERU) and Crisis Negotiation Unit (CNU)** and their 28 deployments, including murder investigations, shooting investigations, armed suspects, and high-risk warrants. When the public needs help, they call 9-1-1. When cops need help, they call CNU and ERU
- Retired **Sergeant Simon Bombard** for saving fellow officer Brock Marvin's life from a knife-wielding attacker



- **Detective Eric Kratochvil** for exemplary investigatory work and his community leadership of the Junior Milers and CHCB
- The team that closed the terrible **shooting of three young Palestinian men**
- The team that handled **a single, crazy night** on which we experienced a gunfire incident, a double murder, a shooting, and an arson at HQ

- The **Drug Unit** for recovering tens of thousands of bags of fentanyl and disrupting the Philly Crew and the local supply of xylazine
- **Community Support Liaison Brigid Blazek** for her work with an undocumented refugee
- Recruitment Officer **Corporal Carolynne Erwin** and **Recruitment Coordinator Anhad Bajwa** for the BPD's best hiring year in more than thirty years
- The Queen City Police Foundation gave awards to **Dave Hartnett** and **Jay Fayette**
- Police Commission Chair Shakuntala Rao presented an award to **Executive Manager Shannon Trammell**



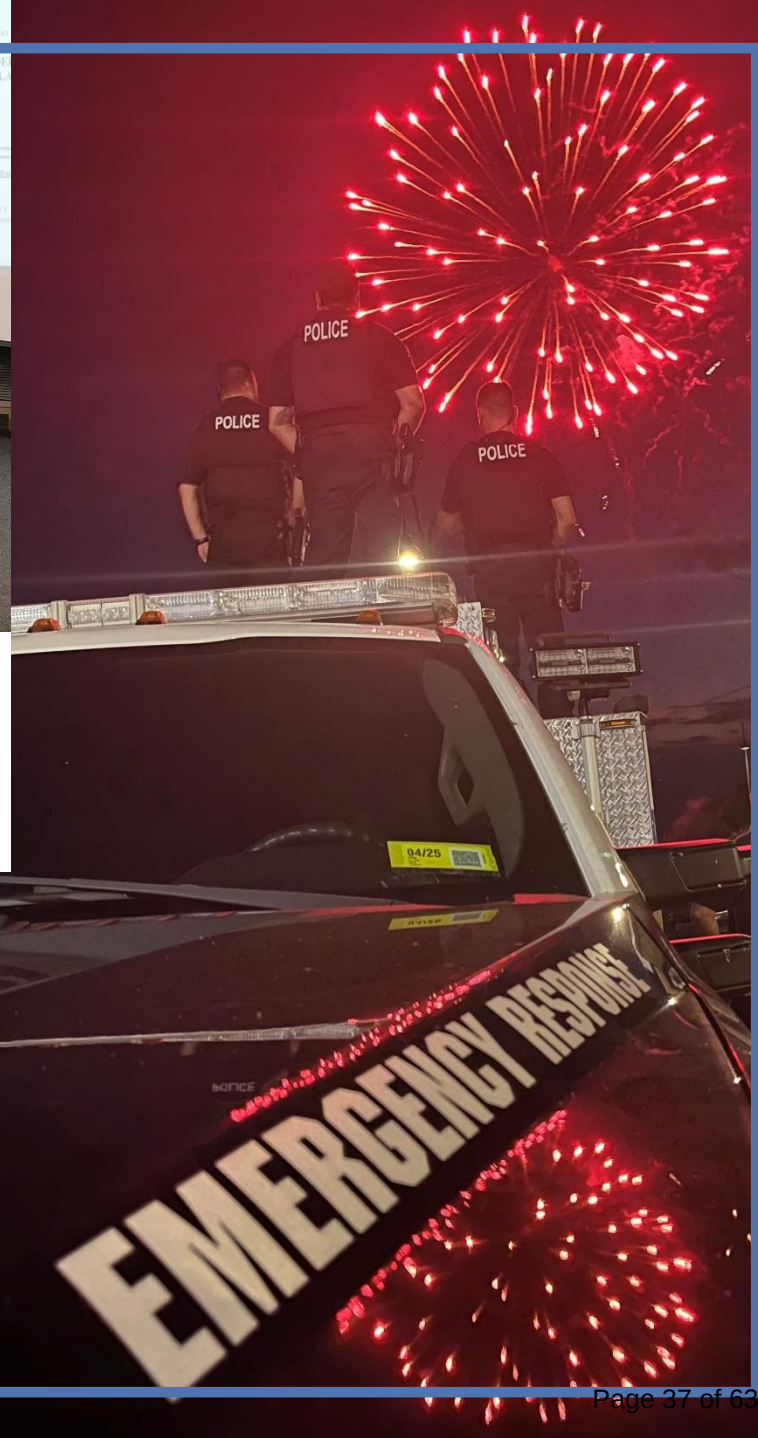
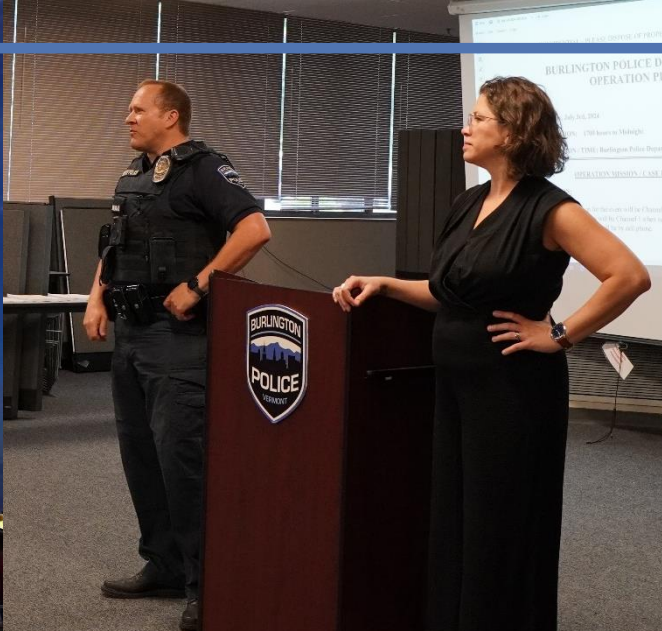
MARATHON



Some 4,500 runners came to Burlington for the 2024 Vermont City Marathon. It was a gorgeous day, perfect for a run (even if going 26.2 miles is just plain crazy!).

The BPD had dozens of posts along the route, with more than a third of our officers assigned to the event, as well as CSOs, CSLs, ID technicians and more. We enjoyed terrific assistance, as always, from other law-enforcement agencies like the Vermont State Police and Vermont Fish & Wildlife.

Lieutenant Rich Weinisch and Corporal Carolynne Erwin were the event coordinators for BPD, preparing months in advance with Run Vermont and a host of other partners, like BFD, DPW, Green Mountain Transit, and others. Corporal Erwin has had a key organizational role for more than a decade of marathons.



The Queen City celebrated a wonderful Third of July, with thousands of visitors. Mayor Mulvaney-Stanak addressed the full-house roll call at the BPD EOC, thanking officers, CSOs, CSLs, and partners like BFD, GMT, VSP, and others for working the holiday.



Jan 01, 2025 – all data preliminary & subject to change



CHURCH STREET MURDER

On Saturday, August 24, just half an hour after midnight, Burlington saw its only murder of 2024, when a woman shot a man several times outside the Red Square nightclub on the Church Street Marketplace. Responding officers, including a CSO and an off-duty officer, were on scene within seconds. Officers apprehended the shooter on Main Street. Along with our BFD partners, police used the tactical medical training BPD provides to all employees and tried to save the victim but he succumbed to his injuries.

POLICE LINE DO NOT CROSS



CREEMEE WITH A COP

On Friday 9/6 we had a successful and well-attended “Creemee with a Cop,” hosted by The Bagel Café on North Avenue, and organized by PIO Sarah Timm and City Councilor Mark Barlow in conjunction with the Vermont Agency of Agriculture. Throughout the summer we had also participated in “Creemee from a Cop,” an Agency of Agriculture voucher program. Officers like Sergeant Mellis, at left, handed out coupons on patrol and at events like the Third of July.



Jan 01, 2025 – all data preliminary & subject to change





PRIDE MARCH



On September 8, the Burlington Police Department controlled traffic and guided participants and viewers alike as the city's 2024 PRIDE March went off... well, fabulously!

The parade and festival is Vermont's largest Pride celebration, featuring vendors, drag, burlesque, dance, and musical performances. Despite concerns about possible disruptions that had occurred in marches in other cities and states, mostly having to do with conflict in the Middle East, Burlington's event was free from disturbance. A terrific day was had by all.





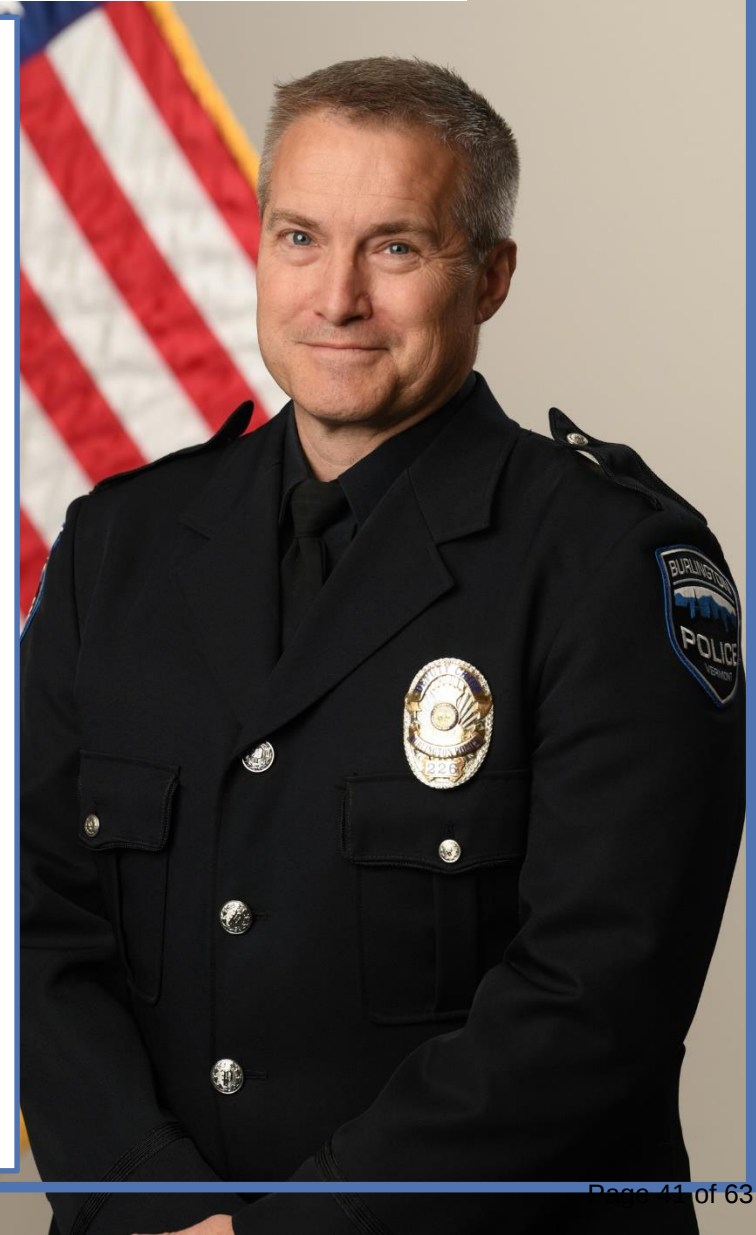
A HISTORY OF SERVICE – DEPUTY CHIEF LABRECQUE

In September, we bade farewell to Deputy Chief of Operations Wade Labrecque. In nearly 24 years with the BPD, Deputy Chief Labrecque served the City of Burlington and the department as a patrol officer, sergeant, lieutenant, and deputy chief. He spent eight years with a hairy partner, K-9 Andre, and they made huge drug seizures and important, life-saving tracks. The pair were the state's top narcotics detection team four times. In 2016 they were inducted into the Vermont Police Canine Hall of Fame.

In 2015 he was promoted to sergeant, and in 2019 he became a lieutenant. Since being designated Acting Deputy Chief on September 25, 2020, he has managed our Uniformed Services Bureau during a time of unprecedented hardship and challenge, facing plummeting patrol numbers no DC Ops ever faced.

"Every day he has confronted the challenge of balancing our obligation to keep our community safe while ensuring our officers' safety and wellness, too. In all the 1,453 days since then, I have valued his guidance, leadership, and friendship. The department and the City are better for his service."

~ Chief Murad





IACP 2024

The International Association of Chiefs of Police, or IACP, Annual Conference and Exposition is the largest and most important law enforcement event of the year—more than 16,000 public safety professionals come to learn new techniques, advance their knowledge and careers, and equip their departments for ongoing success.

The 2024 IACP conference was held at the Boston Convention and Exhibition Center, October 19-22, 2024.

The BPD normally sends four employees to the full conference, but this year we were also able to arrange a one-day “field trip” for nine additional team members to experience the scope and scale of American policing.

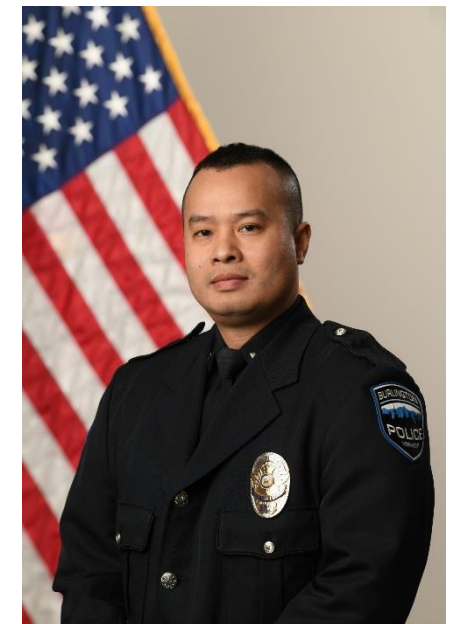




CLEANING UP



In late October, the BPD pitched in with fellow community members at a syringe / litter cleanup effort organized by the Greater Burlington YMCA. PIO Sarah Timm attended, as did Redaction Specialist ShanShan Chen and [our wonderful Lieutenant My Nguyen](#), who retired after 20 loyal years in November.





CHURCH STREET HOLIDAY TREE LIGHTING

A group of approximately 15 Burlington Police officers in dark uniforms and winter hats are posing for a photo on a city street at night. The background is filled with the warm glow of thousands of yellow holiday lights strung across the street, with a church steeple visible in the distance.

On Friday November 29, 2024, the Church Street Marketplace held its annual tree-lighting event, with a stage show, carols and, of course, the lights! Thousands of folks attended and crowded the northernmost block of Church Street to usher in the holiday season. We had a strong contingent of officers on overtime, as well as partners from BFD for emergency medical response and from DPW in blocker trucks to prevent vehicle attacks. It was all designed to ensure that attendees stayed safe.



JOIN US FOR OUR COMMUNITY ACADEMY



Meets each
WEDNESDAY
FROM 6:00 PM-9:00 PM

Starting Jan. 8 - Feb. 12
at the BPD!

Topics Include:

- Patrol Procedures
- Use-of-Force
- K-9
- Mental Health
- Drug Enforcement Policy
- Domestic Violence
- Less Lethal Tactics



REGISTER NOW

Dec 23, 2024 – all data preliminary & subject to change

Questions? Contact:

Constance Crisp

(802) 540-2365

(802) 540-2211



JOIN US FOR OUR COMMUNITY ACADEMY

Meets each Wednesday from 6:00pm-9:00pm
starting January 8 - February 12 at the BPD

The Community Academy is a hands-on opportunity to learn about the laws, principles, and procedures that guide the daily activities of the Burlington Police Department

As a Community Academy participant, you will be able to interact with our officers, take part in role-playing scenarios, and participate in discussions. You will learn about the different functions and roles of the police department and how everyone at the BPD trains and works together to provide fair and impartial policing to the Burlington community.

TOPICS INCLUDE:

- Patrol Procedures
- Use-of-Force
- K9
- Mental Health
- Drug Enforcement
- Domestic Violence
- Less Lethal Tactics & much more

PARTICIPANTS MUST BE 18 YEARS OLD OR OLDER & RESIDE OR WORK IN BURLINGTON

We are committed to policing with the citizens of Burlington to achieve a safe, healthy and self-reliant community.

QUESTIONS? CONTACT:

SARAH HERNANDEZ TIMM,
PUBLIC INFORMATION & COMMUNITY ENGAGEMENT OFFICER

✉ STIMM@BPDVT.ORG

☎ (802) 540-2211

For more information
and to register

SCAN HERE





4. REBUILDING



SWEARING IN, FEBRUARY 1 2024

Our swearing in, attended by employees new and old, families, Mayor Weinberger (who offered inspiring remarks), City Councilors, Police Commissioners, and members of the Queen City Police Foundation, can be [seen on Town Meeting TV](#).



Jan 01, 2025 – all data preliminary & subject to change



117th GRADUATION MAY 31 2024

On May 31, 2024, our lone recruit officer, Kaylah Grant, graduated from the 117th Vermont Police Academy basic class. We were proud to watch her participate in the flag ceremony that closed the commencement.

Additionally, BPD Officer Nho Huynh was voted best teaching assistant by the 117th Basic Class.





SWEARING-IN CEREMONY

On August 1, we added new sworn officers and additional professional positions like three new dispatchers to the Department.

We also promoted Anna Wagling from Community Support Liaison to Community Support Supervisor, and important position in our CAIP team. And we recognized our Recruitment Officer, Corporal Carolyn Erwin, for 20 years of service. Great work by Corporal Erwin and Recruitment Coordinator Anhad Bajwa yielded these new hires. Mayor Mulvaney-Stanek attended and offered welcoming remarks to these new members of the team.





RECRUIT & RETAIN

YEAR	TOTAL IN	Of total hired, # still employed as of 01/01/25
2010	8	2
2011	13	4
2012	4	1
2013	13	5
2014	12	3
2015	10	1
2016	13	4
2017	9	2
2018	12	4
2019	12	3
2020	5	3
2021	1	1
2022	7	5
2023	15	8
2024	7	5
TOTAL	141	51 (36%)

These tables show hiring patterns over the past 15 years, and compare recruitment to retention. The table at right also breaks hiring down into “recruits” (i.e., new employees who have never been police before and must attend the Vermont Police Academy) and “laterals” (i.e., new employees who are already certified police officers).

YEAR	RECRUIT HIRES		Of recruits hired, # still employed as of 01/01/25	LATERAL HIRES	Of laterals hired, # still employed as of 01/01/25
2010	8		2	0	-
	Jan: 2	Jul: 6			
2011	9		3	4	1
	Jan: 8	Jul: 1			
2012	3		1	1	0
	Jan: 2	Jul: 1			
2013	9		3	4	2
	Jan: 7	Jul: 2			
2014	11		3	1	0
	Jan: 7	Jul: 4			
2015	6		0	4	1
	Jan: 2	Jul: 4			
2016	8		2	3	2
	Jan: 4	Jul: 4			
2017	10		3	1	0
	Jan: 4	Jul: 6			
2018	10		2	2	2
	Jan: 4	Jul: 6			
2019	9		3	3	0
	Jan: 6	Jul: 3			
2020	4		2	1	1
	Jan: 4	Jul: 0			
2021	1		1	0	-
	Jan: 0	Oct: 1			
2022	5		3	2	2
	Jan: 2	Jul: 3			
2023	11		5	4	3
	Jan: 6	Jul: 5			
2024	5		3	2	2
	Jan: 1	Jul: 4			
	109		36	32	16
			33%		50%



COMMUNITY SERVICE OFFICERS (CSOs)

ID	HIRED	SEPARATED
960	10/17/2016	3/26/2023
961	11/25/2019	5/19/2022
962	10/4/2021	1/23/2023*
963	10/4/2021	1/10/2023
964	1/18/2022	CURRENT
965	1/18/2022	8/8/2022*
966	2/28/2022	3/11/2022
967	2/28/2022	CURRENT
968	3/7/2022	1/23/2023*
969	10/3/2022	9/14/2023
970	11/28/2022	1/18/2023
971	1/9/2023	1/11/2024
972	1/9/2023	12/16/2024**
973	4/3/2023	7/24/2023*
974	11/2/2023	6/9/2024*
975	11/27/2023	CURRENT
976	1/29/2024	CURRENT
977	5/20/2024	6/17/2024
978	11/18/2024	CURRENT
979	11/18/2024	CURRENT
980	1/13/2025	CURRENT

The recruitment team has also been building the ranks of our Community Service Officer (CSO) cadre. Formerly, the BPD was authorized for (and employed) two CSOs. In December 2020, Chief Murad introduced the Public Safety Continuity Plan, which the City Council approved in February 2021 as part of the FY22 budget. Since FY22 the BPD has received nearly 200 CSO applications and hired 19 of those applicants.

The CSO role has a higher “churn” than sworn officers, but it’s easier to hire for the role than it is for police officers, owing to the stringency of the background checks and the physical fitness requirements. The CSO role has turned into a terrific proving ground for people who want to be police officers but want to get a sense of the job or the department or build their skills. Five of the 19 CSOs we’ve hire have gone on to become BPD police officers.

As Grade 15 employees, CSOs have a FY25 salary that ranges from \$57,627 to \$68,599.

* CSO became a police officer

** CSO became Recruitment Coordinator



THE BPD IS HIRING!

**\$74,416 to \$82,084
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

www.bpdcareers.com

*** Depending on experience**



Ringin' Out 2024 Welcoming 2025



BURLINGTON, VERMONT



BURLINGTON POLICE DEPARTMENT
DEPARTMENT DIRECTIVE
DD03 Statewide Policy on Fair and Impartial Policing
Effective October 01, 2024

This Fair and Impartial Policing policy was amended by the Vermont Criminal Justice Council on June 05, 2024. It replaces the Policy amended by the Vermont Criminal Justice Council on April 23, 2024.

PURPOSE: The purpose of this policy is to require that all members of the Burlington Police Department (BPD) conduct policing in a fair and impartial manner, to clarify the circumstances in which officers can consider personal characteristics or citizenship or immigration status when making law enforcement decisions, and to reinforce processes and procedures that enable the BPD to provide services and enforce laws in an equitable and impartial way. The BPD is required to adopt each component of the Vermont Criminal Justice Council's model fair and impartial policing policy. The BPD may adopt additional components.

POLICY: Employees are prohibited from engaging in biased policing. This means no member of the BPD shall take actions based on any personal characteristics, or citizenship, or immigration status, except as described below, in the services our employees provide to the community in connection with our law-enforcement activities.

Because partnership with Vermont residents is the most effective way to ensure public safety, maintaining the public's trust is a primary concern. To secure this trust, personal characteristics or citizenship or immigration status should have no adverse bearing on the BPD's interactions with an individual. Enforcement of civil immigration law is a federal responsibility, and agencies should not engage in such enforcement except as otherwise outlined in this policy. Vermont residents are more likely to engage with law enforcement and other officials by reporting emergencies, crimes, and acting as witnesses; to participate in economic activity; and to be engaged in civic life if they can be assured they will not be singled out for scrutiny on the basis of their personal characteristics or citizenship or immigration status.

To achieve these objectives, the BPD will implement a combination of best practices in areas including but not limited to: hiring, in-service training, policy development, supervision, reporting and investigative processes, appropriate discipline, and community outreach/partnerships.

CONTENTS:

- I. Definitions
- II. Policing Impartially
- III. Community Relations
- IV. Establishing Identity

- V. State / Local Enforcement Authority / Priorities and Federal Immigration Law
 - VI. Interactions with Federal Immigration Officers
 - VII. Responding to Bias-Based Reports or Reports Regarding Bias from the Community
 - VIII. Training
 - IX. Accountability and Compliance
-

I. DEFINITIONS

- A. **Biased policing.** “Biased policing” is conduct by law-enforcement officers motivated by an individual’s actual or perceived or self-identified personal characteristics.
- B. **Citizenship or Immigration status.** This generally refers to the legal rights, if any, of a non-citizen to enter or remain in this country, or to exercise certain rights (e.g., vote in federal elections). Examples of status include, without limitation, “lawful permanent resident,” “temporary worker,” “refugee,” and “undocumented.”
- C. **Federal immigration authorities.** Federal agencies, departments, or employees or contractors thereof, tasked with enforcement of immigration law and border entry, including without limitation the Department of Homeland Security (DHS), Immigration and Customs Enforcement (ICE), and U.S. Customs and Border Protection (CBP).
- D. **Member or employee.** Any employee employed by the BPD, regardless of the employee’s assigned tasks or duties.
- E. **Personal characteristics.** These may include but are not limited to actual or perceived identity, race, ethnicity, national origin, color, gender, sexual orientation, gender identity, marital status, mental or physical disability, age, religion, and socio-economic status.
- F. **Probable cause.** Facts or circumstances that would lead a reasonable person to believe that a crime has been committed, or is being committed, or is about to occur.
- G. **Reasonable suspicion.** Suspicion for which an officer can articulate factual reasons, which does not need to rise to the level of probable cause.

II. POLICING IMPARTIALLY

- A. **Basis for law-enforcement action.** As required by law, all law-enforcement actions by law-enforcement officers, such as investigations, detentions, traffic stops, arrests, searches and seizures, etc., must be based on reasonable suspicion, probable cause, or relevant exigent circumstances, supported by articulable facts, circumstances, and conclusions that support the given action.

- B. **Taking account of personal characteristics.** BPD employees may take into account reported race, ethnicity, or other personal characteristics of persons based on credible, reliable, locally relevant, temporally specific information that links a person of specific description to particular criminal incidents or other matters under investigation and is combined with other identifying information.
- C. **Equal treatment.** Personal characteristics shall not be used as a reason to arrest someone instead of citing that person and shall not impact the decision on whether to seek continued custody pursuant to Vermont Rule of Criminal Procedure 3.
- D. **Immigration status as an essential element.** Citizenship or immigration status shall not be used as reason to arrest someone instead of citing them and shall not impact the decision on whether to seek continued custody pursuant to Vermont Rule of Criminal Procedure 3, except that criminal liability for offenses where one's citizenship, or immigration status, is an essential element is a factor that may be considered in a Rule 3 determination.
 - 1. Example: An individual convicted of a violent felony is removed by immigration authorities after serving a sentence. Unlawful re-entry by that individual may result in substantial prison time (10 years or more). Those factors may be considered because the prospect of long incarceration can be relevant to case-by-case evaluation of flight risk.
 - 2. Note. Per Section V of this directive, below, BPD employees do not have authority to investigate civil immigration laws and BPD employees shall not ask about or investigate a person's citizenship or immigration status unless information regarding citizenship or immigration status is an essential element of a crime.
- E. **Participation in pre-charge or pre-court processes.** Personal characteristics and/or citizenship or immigration status, including the existence of a civil immigration detainer, shall not affect the detainee's ability to participate in pre-charge or police-initiated pre-court processes such as referral to diversion or a Community Justice Center.
- F. **Interpreter services.** Under federal and state law, law-enforcement agencies are required to provide qualified interpretation services, either in person or telephonically, to any person in need of it.

III. COMMUNITY RELATIONS

To cultivate and foster transparency and trust with all communities, each BPD employee shall do the following when conducting pedestrian and vehicle stops or otherwise interacting with members of the public unless circumstances indicate it would be unsafe to do so:

- A. **Be courteous and professional.**
- B. **Introduce oneself.** Employees will introduce themselves to the person (providing name and agency affiliation), and state the reason for the stop as soon as practicable unless

providing this information will compromise officer or public safety or a criminal investigation.

- C. **Minimize time of detention.** Ensure that a detention is no longer than necessary to take appropriate action for the known or suspected offense, and ensure the BPD employee conveys the purpose of the reasonable delays.
- D. **Identify oneself.** BPD employees will provide their name verbally when requested. BPD employees may also provide the information in writing or on a business card.
- E. **Provide an explanation.** In addition to the above, officers should answer relevant questions the person may have if doing so will not compromise safety and/or the investigation

IV. ESTABLISHING IDENTITY

- A. **Determining identity.** An individual shall not be stopped or detained solely for the purpose of establishing identity. However, if the individual has already been stopped for a lawful purpose, the individual may be subject to objectively reasonable additional detention in order to establish identity (e.g., inquiry into identity during the course of a lawful traffic stop).
- B. **Vehicle passengers are not required to provide identification.** Absent reasonable suspicion of unlawful activity, BPD employees shall not require that passengers in motor vehicles provide identification or other documents. If requesting such documents, BPD employees will state that passengers are not required to provide them. A passenger not providing identification does not constitute reasonable suspicion of unlawful activity. In no instance shall the enforcement of civil immigration law be a reason to request identification or other documents (see Section V).
- C. **Social security numbers.** In instances when a standardized form has a field requesting an individual's social security number, BPD employees may request such information for the purposes of establishing identity. An individual not providing a social security number does not on its own constitute reasonable suspicion of unlawful activity. The absence of a social security number is not indicative of citizenship or immigration status. In no instance shall the enforcement of civil immigration law be a reason to request a social security number.
- D. **Accepted identification.** Acceptable forms of identification, which must include a photograph of the individual, include, but are not limited to, driver's licenses from any U.S. state or foreign country, government-issued IDs by a U.S. jurisdiction, foreign passports, and consular ID cards. All identification is subject to reasonable scrutiny and follow-up for authentication consistent with the provisions of this policy. Any contact with federal immigration authorities to determine an individual's identity must comply with guidance regarding Interactions with Federal Immigration Officers in Section VI.

V. STATE / LOCAL ENFORCEMENT AUTHORITY / PRIORITIES AND FEDERAL IMMIGRATION LAW

The trust and cooperation of immigrant communities is essential to prevent and solve crimes and maintain the safety and security of all. The U.S. Constitution’s Fourth Amendment and the Vermont Constitution’s Article 11 protections against unreasonable search and seizure apply equally to all individuals in Vermont.

- A. **Federal civil immigration law.** BPD employees do not have authority to enforce federal civil immigration law. Mere presence in the United States without authorization—for example, residing in the country with an expired visa—is a civil violation and may not be subject to investigation.
- B. **Federal criminal law.** Although sworn employees of the BPD have authority to enforce federal criminal law, enforcement of federal criminal immigration law is generally not a priority for the BPD. Accordingly, BPD employees should not make warrantless arrests, detain individuals, facilitate the detention of individuals, or otherwise expend resources investigating or enforcing unlawful entry or unlawful reentry cases unless such actions are (1) necessary to ensure public safety or officer safety (imminent risk of physical injury to subject, officer, or third party) or (2) integral to the investigation of criminal offenses unrelated to immigration law.
 - 1. **Asylum.** Some individuals crossing the border outside of an authorized checkpoint may be seeking asylum and receive federal permission to remain in the United States. Because it is often difficult to determine whether someone is crossing the border to obtain safety and lawful status, BPD employees should not presume that unauthorized border crossing implicates Vermont law, as opposed to federal interests. BPD enforcement of alleged “unlawful entry” may create the misconception that the BPD is involved in immigration enforcement and undermine partnerships with local communities.
- C. **Insufficient for reasonable suspicion.** The following do not on their own establish reasonable suspicion of a criminal offense and are not sufficient to warrant an investigation:
 - 1. Personal characteristics, including Limited English Proficiency
 - 2. Citizenship or immigration status
 - 3. Presence in the U.S. without authorization or formal documentation
 - 4. Proximity to the border

These elements *in combination with others* may contribute to reasonable suspicion. As noted in Section II (b), personal characteristics may be taken into account only where there is credible, reliable, locally relevant, temporally specific information that links a person of specific description to particular criminal incidents and is combined with other identifying information.

D. **Prohibitions.** In interacting with all people,¹ including suspects, crime victims, and witnesses, BPD employees shall not:

1. Ask about or investigate a person's citizenship or immigration status unless information regarding citizenship or immigration status is an essential element of the crime (such as human trafficking).
 - a. In so doing, BPD employees will never use individual personal characteristics to ask about, investigate, or presume citizenship or immigration status. For example, they cannot ask someone about citizenship or immigration status merely on the basis of race, color, or perceived national origin.
2. Initiate or prolong stops for the purpose of enforcing civil immigration matters.

E. **Victims' services and visas.** BPD employees will ensure that individual immigrants and immigrant communities understand that full victims' services are available to documented and undocumented victims/witnesses. BPD employees may, in appropriate situations, advise an individual that, if the individual is undocumented, the individual may be eligible for a temporary visa. For example, an individual might qualify for a U, S, or T visa if the individual is a victim or material witness to certain serious offenses.

VI. INTERACTIONS WITH FEDERAL IMMIGRATION OFFICERS

A. **Limited application of federal immigration law.** BPD employees have no legal obligation to communicate with federal immigration authorities. However, two federal statutes, 8 U.S.C. §§ 1373 and 1644, provide that local and state agencies and officials may not prevent or restrict their employees from communicating with federal immigration authorities regarding an individual's citizenship or immigration status.²

As noted in Section I above, information regarding "citizenship or immigration status" refers only to an individual's legal rights, if any, to enter or remain in this country, or to exercise certain rights (e.g., vote in federal elections). As a result, Sections 1373 and 1644 permit state and local authorities to decide whether or when to limit communications with federal immigration authorities regarding other types of information about individuals, such as:

1. Physical appearance
2. Vehicle / license plate information
3. Current whereabouts
4. SSN or lack thereof
5. Places of residence, work, or education
6. Family relationships

¹ As explained in Section VI, below, federal immigration law permits a narrow category of voluntary communications with federal immigration authorities—i.e., those regarding citizenship or immigration status.

² BPD employees should note that accurately determining an individual's citizenship or immigration status can be difficult in the absence of clear documentation and immigration law expertise. Moreover, making a mistake in this arena may undermine community confidence that the BPD is focused on public safety and state / local enforcement, rather than civil immigration enforcement.

7. Telephone number
8. Custody status, release date / time, or court dates

B. Restricted access to the BPD's facility. Unless federal immigration agents have a judicially-issued criminal warrant or a legitimate law-enforcement purpose exclusive of the enforcement of civil immigration laws, BPD employees shall not:

1. Grant immigration authorities access to individuals located in otherwise-restricted portions of the BPD's facility absent a court-approved search or arrest warrant relating to alleged crimes
2. Permit immigration authorities to use BPD facilities for investigative interviews.

C. Restricted access to individuals outside of the BPD facility. Unless federal immigration agents have a judicially-issued criminal warrant or a legitimate law enforcement purpose exclusive of the enforcement of civil immigration laws, BPD employees who have an individual in their custody shall not grant or otherwise facilitate immigration authorities' access to the individual.

1. Non-interference. This section shall not be construed to require members to interfere with a federal official's lawful authority to interview, detain, or arrest (with or without a warrant) an individual—e.g., employees shall not use force or physically block the official.
2. BPD actions come first. BPD employees asked to grant access to an individual in their custody (e.g., requests made during a traffic stop) shall respond to the federal official that they intend to complete their stop first, without interruption—unless it would be unlawful for them to provide that response (e.g., making such statements in an effort to intentionally facilitate an escape of a person subject to lawful arrest).
3. Supervisor involvement. BPD employees who are unsure how to proceed in a given situation should immediately contact a supervisor for guidance, provided this does not unreasonably prolong the stop.

Comment: As noted above, the BPD does not participate in civil immigration enforcement and expects its members to try to complete their law enforcement duties (e.g., issue a traffic citation) swiftly and safely and move on, leaving immigration enforcement to the appropriate authorities. Maintaining focus on state or local enforcement serves to build and maintain community confidence in the BPD.

D. Additional restrictions. In addition, BPD employees shall not:

1. Initiate or prolong stops to allow federal immigration authorities to investigate suspected civil immigration violations.
2. Hold people for, or transfer people to, federal immigration agents, unless the agents provide a judicial warrant for arrest.
3. Stop, detain, arrest, or transfer someone on the basis of requests from federal immigration agents such as "administrative warrants" and "immigration detainers." Such requests have not been issued or reviewed by a neutral magistrate and do not

- have the authority of a judicial warrant. They do not meet the probable cause requirements of the Fourth Amendment and Article 11 of the Vermont Constitution and are therefore not a lawful basis to arrest or detain anyone.
4. Request or accept assistance from federal immigration authorities for interpretation services, unless a clear emergency requires it and qualified interpretation services are not available through any other means.
 5. Conduct or participate in enforcement activities intended to locate and detain undocumented immigrants without reasonable suspicion or probable cause of a crime, unless acting in partnership with a federal agency as part of a formal agreement entered into by the governor.
 6. Facilitate the detention of individuals by federal immigration authorities for suspected civil immigration violations.
 7. Share any information (other than information regarding citizenship or immigration status) about an individual with federal immigration authority, unless there is justification on the grounds of:
 - a. Public safety or officer safety (articulable risk of physical injury to subject, officer, or third party), and state and local authorities are unable to provide urgent assistance in time
 - b. Law enforcement needs that are not related to the enforcement of federal civil immigration law (e.g., the individual may be a human trafficking victim, a crime victim, or witness entitled to a T, U, or S visa)
- Prior to providing such information³, BPD employees shall consult with a supervisor if available, unless doing so would unreasonably extend the individual's custodial detention.
8. Contact federal immigration authorities to determine an individual's identity, unless the individual does not present an acceptable form of identification and the BPD employee has reason to believe that such authorities will be able to verify the individual's identity.
 - a. The individual's personal characteristics are not a reason to believe that federal authorities will be able to verify the individual's identity.
 - b. BPD employees shall not provide any information except information necessary to establish identity. For example, a BPD employee shall not provide the location of the individual.
 9. Accept requests by federal immigration authorities to support or assist in civil immigration enforcement.

VII. RESPONDING TO BIAS-BASED REPORTS OR REPORTS REGARDING BIAS FROM THE COMMUNITY

- A. **Biased-based calls for service.** If any BPD employee receives a call for service that appears to be based solely on an individual's perceived personal characteristics or citizenship or immigration status, the BPD employee will attempt to ascertain if there are

³ BPD employees should understand that disclosures regarding citizenship and immigration status, when unnecessary for state/local law enforcement purposes, may compromise the BPD's ability to cultivate and maintain trust with community members and foster positive relationships benefiting all Vermonters.

other circumstances or facts that would constitute reasonable suspicion or probable cause. If the complainant can offer no further information, the complainant will be advised that the shift supervisor will be in contact at the first opportunity.

- B. **Correcting bias.** The shift supervisor should attempt to familiarize the caller with the BPD's Fair and Impartial Policing policy. If the caller is concerned about the person's perceived citizenship or immigration status, the caller should be advised that the BPD does not have authority to investigate or enforce civil immigration law.
- C. **Documentation.** At the conclusion of the call, the shift supervisor will document the contact by making a Valcour incident categorized as "Community Outreach."
- D. **Loudermill hearing.** If a BPD employee receives a report of a potentially biased or hate-motivated incident, the BPD shall either dispatch an officer to evaluate the complaint or refer the caller to the Officer in Charge (OIC).

VIII. TRAINING

- A. **Training compliance.** The BPD will ensure that, at a minimum, all employees are compliant with Vermont Criminal Justice Council and legislative requirements regarding fair and impartial policing training.
- B. **Additional training.** Additional trainings may include but not be limited to instruction on anti-bias, power and privilege, non-English speaking communities, undocumented communities, and victim/witness services.

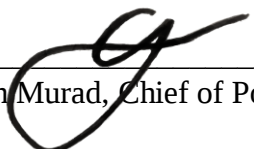
IX. ACCOUNTABILITY AND COMPLIANCE

- A. **Complaints.** The process for making a complaint shall be readily available to the public. Reasonable efforts should be made to accommodate language barriers. See DD40.
- B. **Reporting.** All BPD employees are required to report allegations, complaints, or knowledge of biased policing or suspected violations of this policy promptly to their supervisor via the BPD's internal complaint process in compliance with DD40 and DD43. Where appropriate, employees are required to intervene at the time the biased policing incident occurs.
- C. **Act 56 compliance.** State law requires all Vermont law-enforcement agencies to conduct valid investigations of alleged biased law enforcement, even if the named member or employee resigns. Effective July 1, 2018, the BPD is required to report to the Vermont Criminal Justice Council instances in which officers have willfully engaged in biased law enforcement or substantially deviated from policies prohibiting such enforcement. The

Vermont Criminal Justice Council may, in turn, impose sanctions up to revocation of officers' certification.⁴

- D. **Disciplinary action.** Violations of the policy shall result in appropriate disciplinary action as set forth in the BPD's rules and regulations, specifically DD40. Supervisors shall ensure that all employees in their command are familiar and in compliance with the content of this policy. Supervisors will be alert for and respond to indications of potential biased policing.

Required by the State of Vermont on September 01, 2024.



Jon Murad, Chief of Police
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October 01, 2024
Effective Date

⁴ See VT Act 56 (2016), codified in 20 V.S.A. § 2401(2)(D) (biased enforcement as Category B unprofessional conduct), § 2403 (duty to report to Council), § 2404 (duty to investigate), and § 2406 (Council-issued sanctions).