



BURLINGTON POLICE CHIEF'S REPORT

May 2023

May 18, 2023 – all data preliminary & subject to change



POLICE MEMORIAL WEEK

In 1962, President Kennedy proclaimed May 15 as National Peace Officers Memorial Day and the week in which it falls as National Police Week. Since the BPD's founding in 1865, three officers have died in the line of duty. While we hope never to see another, we also vow never to forget.

On Monday May 15, we honored that vow. With the extraordinary help of [the Queen City Police Foundation](#), particularly QCPF board member Andi Higbee, we placed a marker at the grave of Patrolman Robert Provost. Patrolman Provost died in 1954 of an apparent heart attack after carrying two elderly patients at an apartment building. You can see a [video of the event on the BPD's YouTube channel](#). Patrolman Provost's surviving sister and two surviving daughters were in attendance.

This was the third marker the BPD and QCPF have placed. Two other BPD officers have given their lives to Burlington: Patrolman James McGrath was shot and killed by an AWOL soldier in 1904, while on foot patrol in the Burlington rail and lumber yard, at Main Street and Battery Street. Patrolman Albert Fisher died in 1947 after falling into an elevator shaft while conducting a building check.



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2022 AWARDS



On May 22 the Queen City Police Foundation hosted the BPD at our annual awards ceremony, recognizing extraordinary conduct in 2022. Employees, family members, awardees, the Mayor, and others were in attendance.



Among a variety of awards, we recognized:

- the Detective Bureau's exemplary record of closing the historic, horrible record-high of five murders in 2022, while also closing the 1971 Rita Curran case
- our Patrol officers for responding to those five murders, as well as eight other shootings, and 13 other incidents of gunfire
- life-saving officers Noah Hyunh, Joe Congdon, Victor Montalvo, and Deirdre Lacouture
- Team awards for our Dispatchers and for the CAIP team's successful first year

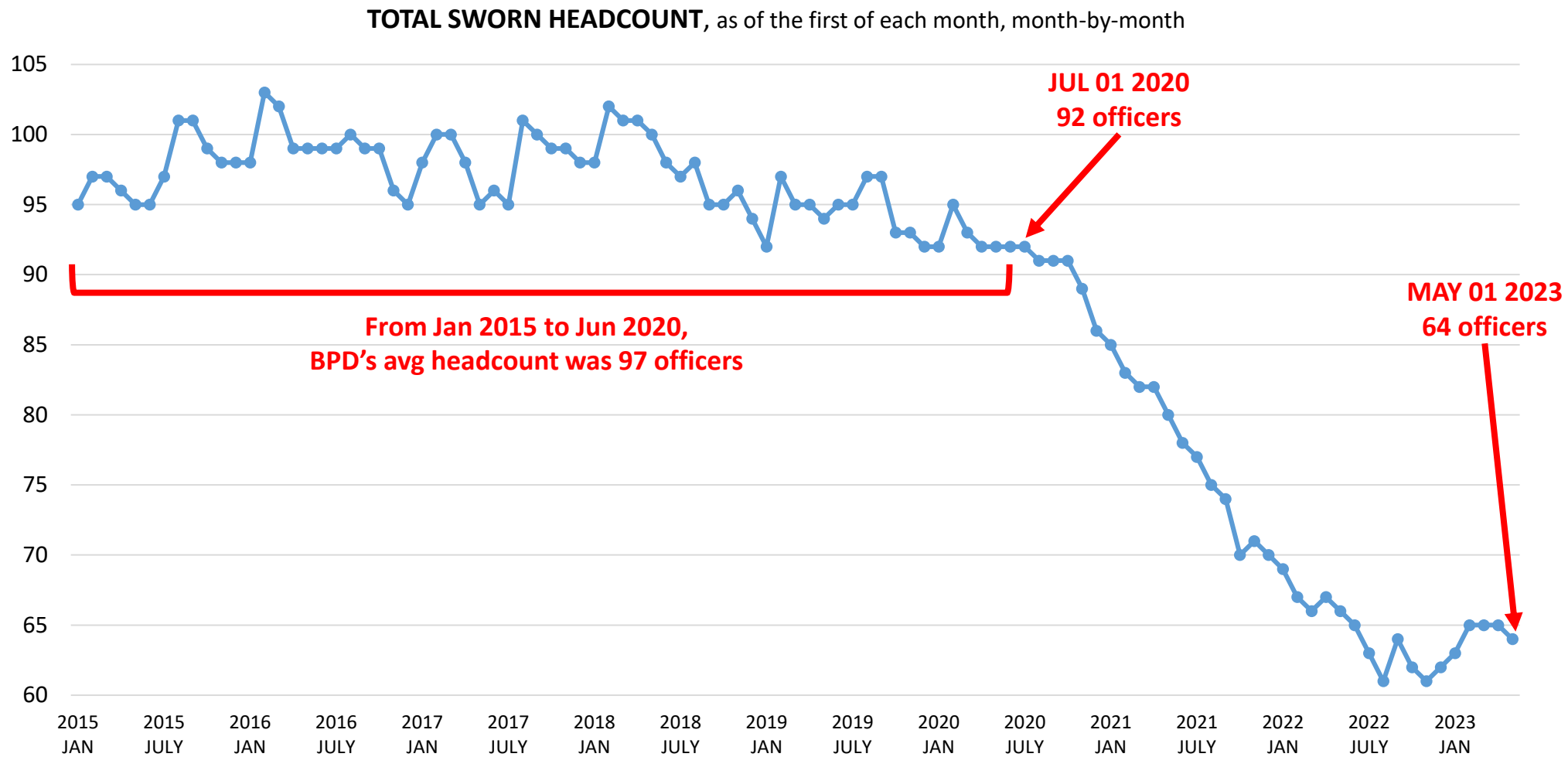


May 23, 2023 – all data preliminary & subject to change





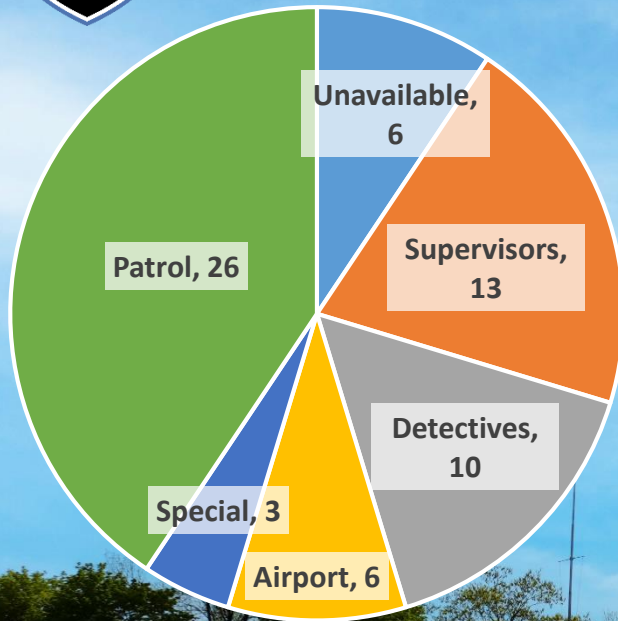
BPD SWORN OFFICER HEADCOUNT, 2015-2023



May 18, 2023 – all data preliminary & subject to change



64 TOTAL, 58 AVAILABLE



As of May 15, 2023, the BPD has **64 total sworn officers**, of whom 58 are available to be deployed. Historically, headcount has been in the high 90s; currently we are authorized for 87 officers.

minus 6 on injury, at VPA, or on leave = 58

minus 13 supervisors = 45

minus 10 detectives = 35

minus 6 airport officers = 29

minus 3 special assignments = 26

26 officers on Patrol



PUBLIC SAFETY ROLES UNIQUE TO BPD

As part of the 2021 Public Safety Continuity Plan, we have hired:

- **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 and one CSM** (or Community Service Manager). The role is also a stepping stone to becoming a police officer.

**BPD
currently
has 6 CSOs
and 5 CSLs**

As part of the Public Safety Continuity Plan, we also hired:

- **Community Support Liaisons** (CSLs)

These are embedded social workers with expertise in mental health, substance use disorder, and houselessness. BPD currently has five employees in the role, and **the budget allots us six CSLs and one CSS** (or Community Support Supervisor).



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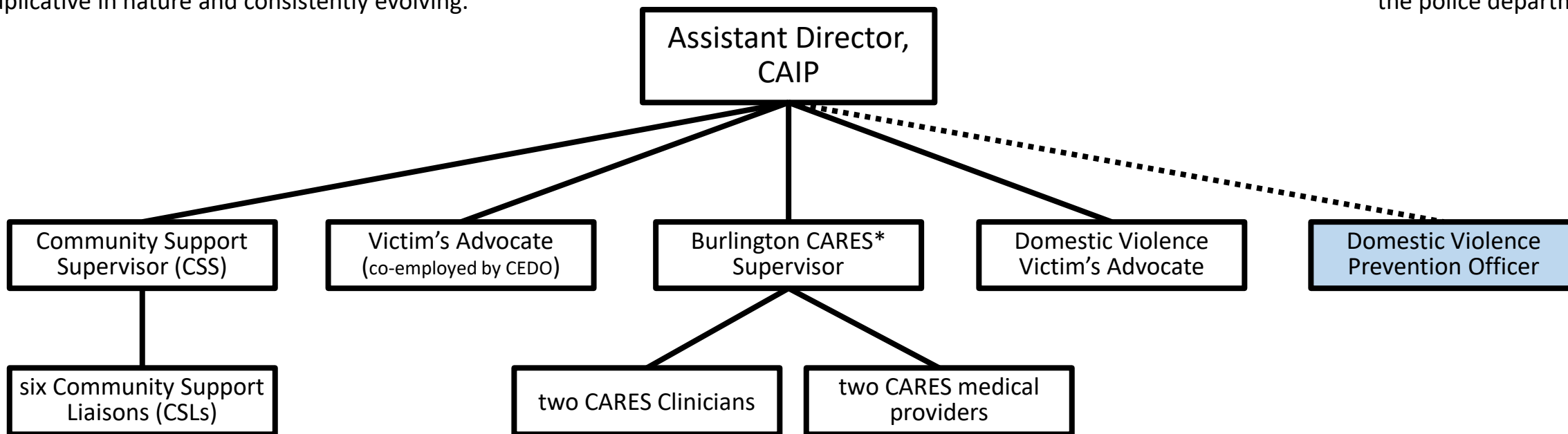


NEW ORGANIZATION

CAIP is “lower barrier” assistance that supplements the social service system. That system’s structure has gaps in service, often because of population-specific and program-specific requirements from grants and funding. CAIP is trying to fill gaps, while working collaboratively with community partners. These services are non-duplicative in nature and consistently evolving.

C.A.I.P. CRISIS ADVOCACY INTERVENTION PROGRAMS

Through CAIP, the City can take the lead in the effort to address needs when community social service systems in the community cannot. CAIP’s collaborative model allows for seamless continuity of care and jumpstarts a public safety transformation because it integrates change directly into the largest public safety component: the police department.

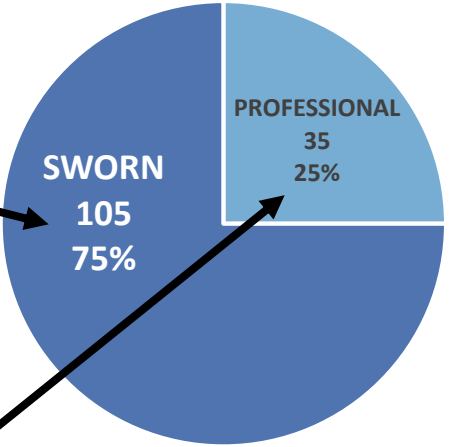
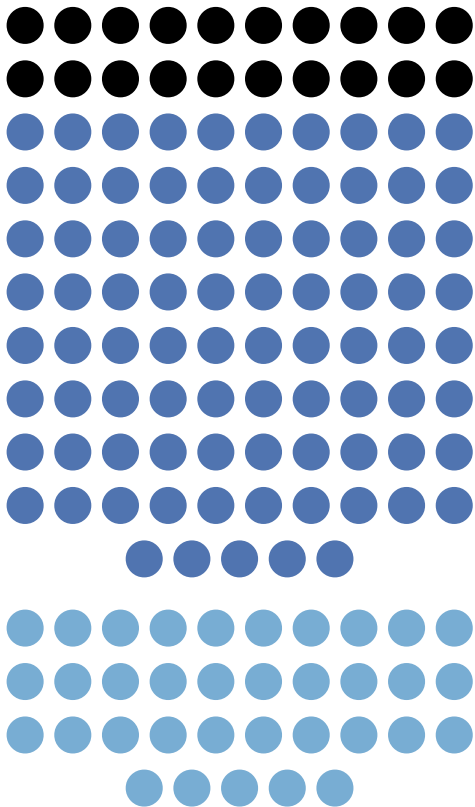


*Burlington CARES is the **Crisis Assessment, Response, and Engagement Service**; specifics about it are in development

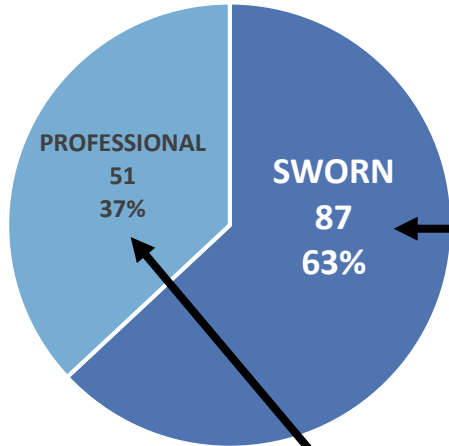
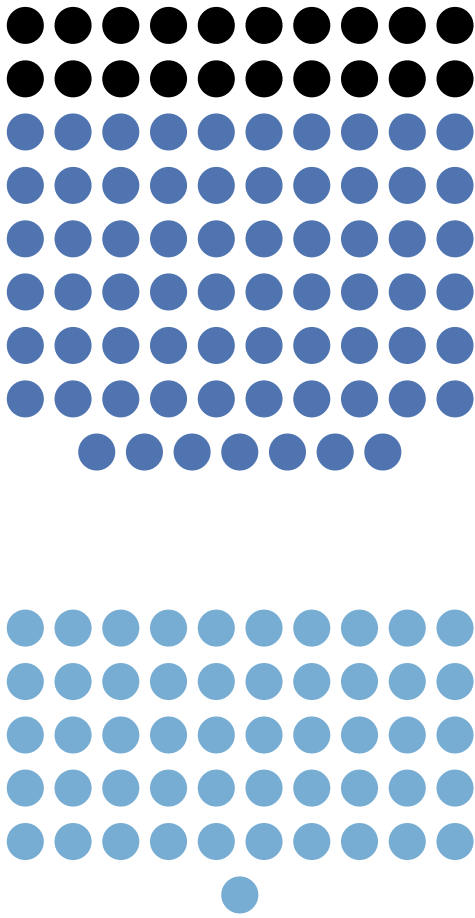


CHANGING PROPORTIONS

Authorized 2019
140 total*



Authorized 2023
138 total



Since 2019 to 2023, we have significantly changed the BPD's ratio of sworn to professional employees.

- Sworn supervisor
- Sworn officer
- Professional employee

* note: 2019 personnel count was 150 when Parking was included; Parking was moved to DPW in July 2020

"Professional employee" includes CSOs, CSLs, ID techs, dispatchers, clerks, & others

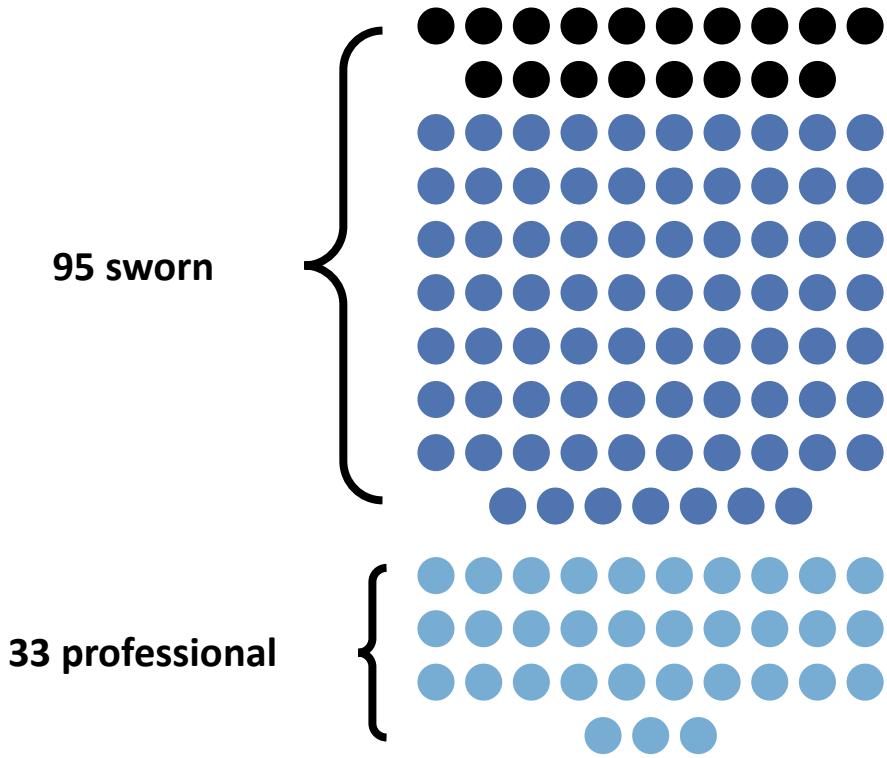


BPD CURRENT PERSONNEL COUNT

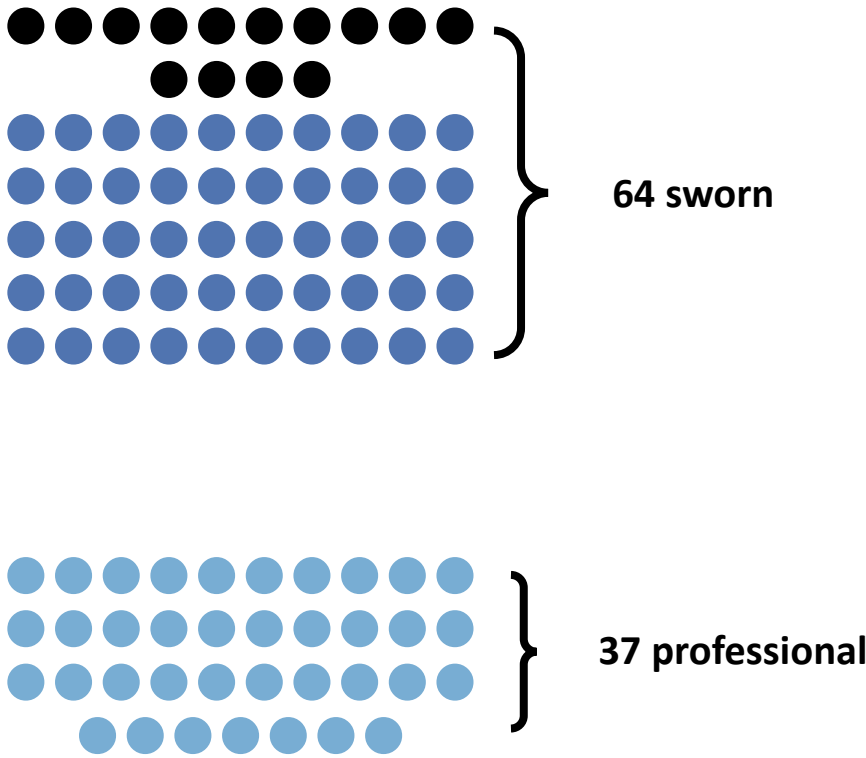
- Sworn supervisor
- Sworn officer
- Professional employee

“Professional employee” includes CSOs, CSLs, ID techs, dispatchers, clerks, & others

Actual May 2019



Actual May 2023



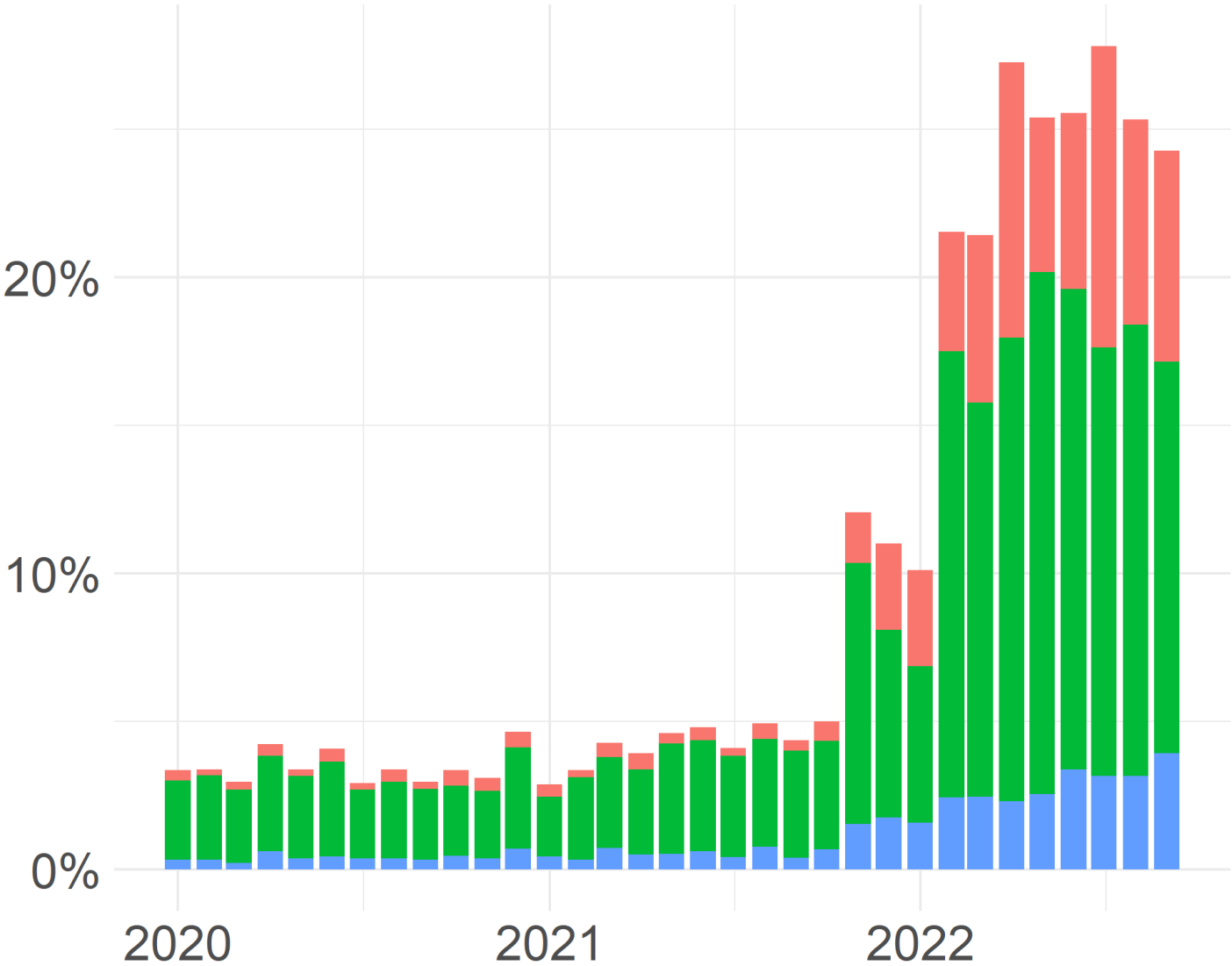


NON-SWORN RESPONSE

In 2022, there were more than 38,500 individual officer responses (to more than 25,000 incidents).

- Of those responses:
- 14% were CSOs
 - 7% were CSLs
 - 3% were Street Outreach

Of the 25,000 incidents, CSOs and CSLs were the primary respondent by a similar percentage: 16% for CSOs, 6% for CSLs, 2.5% for Street Outreach.





THE BPD IS HIRING!

\$71,000
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



REVISED PRIORITY RESPONSE PLAN

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.

We originally implemented [the Priority Response Plan](#) in May 2021. We have made several revisions, shown in this chart. The categorization of incidents has **not** changed. (Our primary goal remains **NEIGHBORS' PHYSICAL SAFETY**, so Priority 1 incidents are still Priority 1 incidents, etc.) But many Priority 3 incidents will now receive a different response.

In the chart, **incidents labeled "CSO"** will initially receive a response from a CSO, rather than a police officer, unless the incident evolves in a way that changes its category or requires a sworn officer.

Incidents labeled "ONL" (for "Online Only") will be diverted to an online reporting function. Unless extenuating circumstances apply, callers will be asked to make an online report. There are reporting mechanisms for callers who do not have Internet access.

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

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		



INCIDENT VOLUME

YEAR-TO-DATE 5/15

Year-to-date, **incidents in 2023 are up 33% compared to 2022. They are up 45% over 2021**, but are lower than years prior to that. They are down 6% since 2018.

Patrol officers are addressing ≈6% fewer incidents with ≈50% fewer officers.

Of the 9,587 incidents in 2023 so far, 1,177 have been “stacked”—i.e., 12%.

Additionally, 1,253 have been referred to online reporting, or 13%.

	YTD INCIDENTS (as of 5/15)	%Δ
2018	10,177	100%
2019	9,670	↓5%
2020	8,786	↓9%
2021	6,619	↓25%
2022	7,226	↑9%
2023	9,587	↑33%
	Δ 2018 to 2023:	↓6%



SELECTED VALCOUR INCIDENTS, YTD AS OF MAY 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
2018	18	45	34	34	39	24	151	1	140	273	16	5	26	1	1,312
2019	13	52	23	25	46	27	143	2	148	295	19	8	24	19	850
2020	14	45	33	18	41	18	225	5	217	339	40	5	24	19	633
2021	12	43	28	27	22	12	168	3	262	307	37	3	22	24	390
2022	23	50	64	34	36	16	191	7	317	361	43	9	18	88	229
2023	9	63	57	49	28	21	166	3	422	346	148	3	11	127	184

* = 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 May 15 of their respective year

NOTE: These data are derived from Valcour incidents. 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.

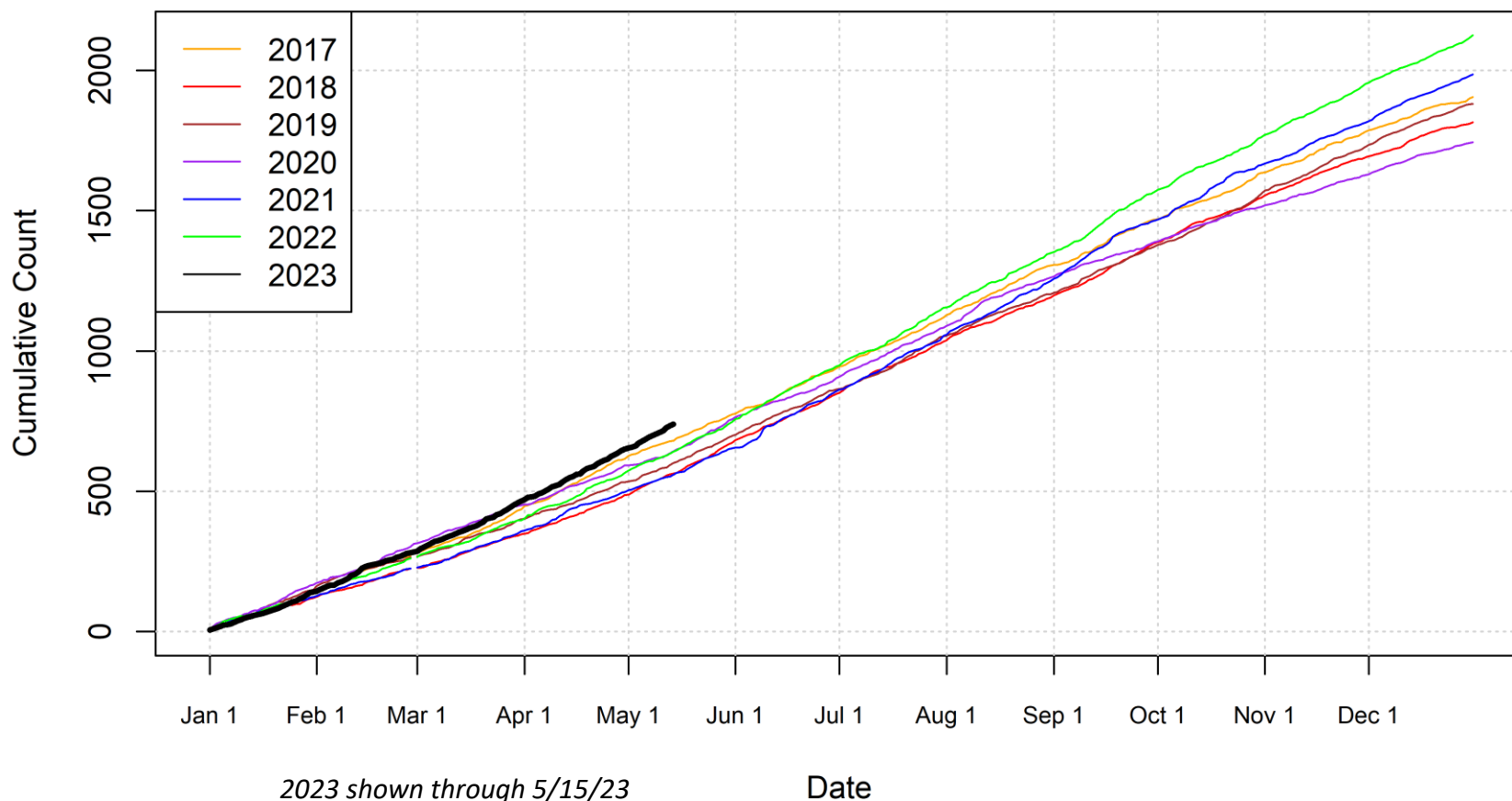


PRIORITY 1 INCIDENTS

In 2022, there were more Priority 1 incidents than in any of the previous five years. Almost halfway into the year, 2023 is higher than that. A significant portion of the 2023 total is the extreme number of overdoses Burlington has experienced.

Priority 1 incidents include assaults, crashes with injury, domestic incidents, overdoses, robberies, and homicides. Year over year, Priority 1 incidents comprise an increasingly large percentage of all incidents.

Priority 1 Incidents





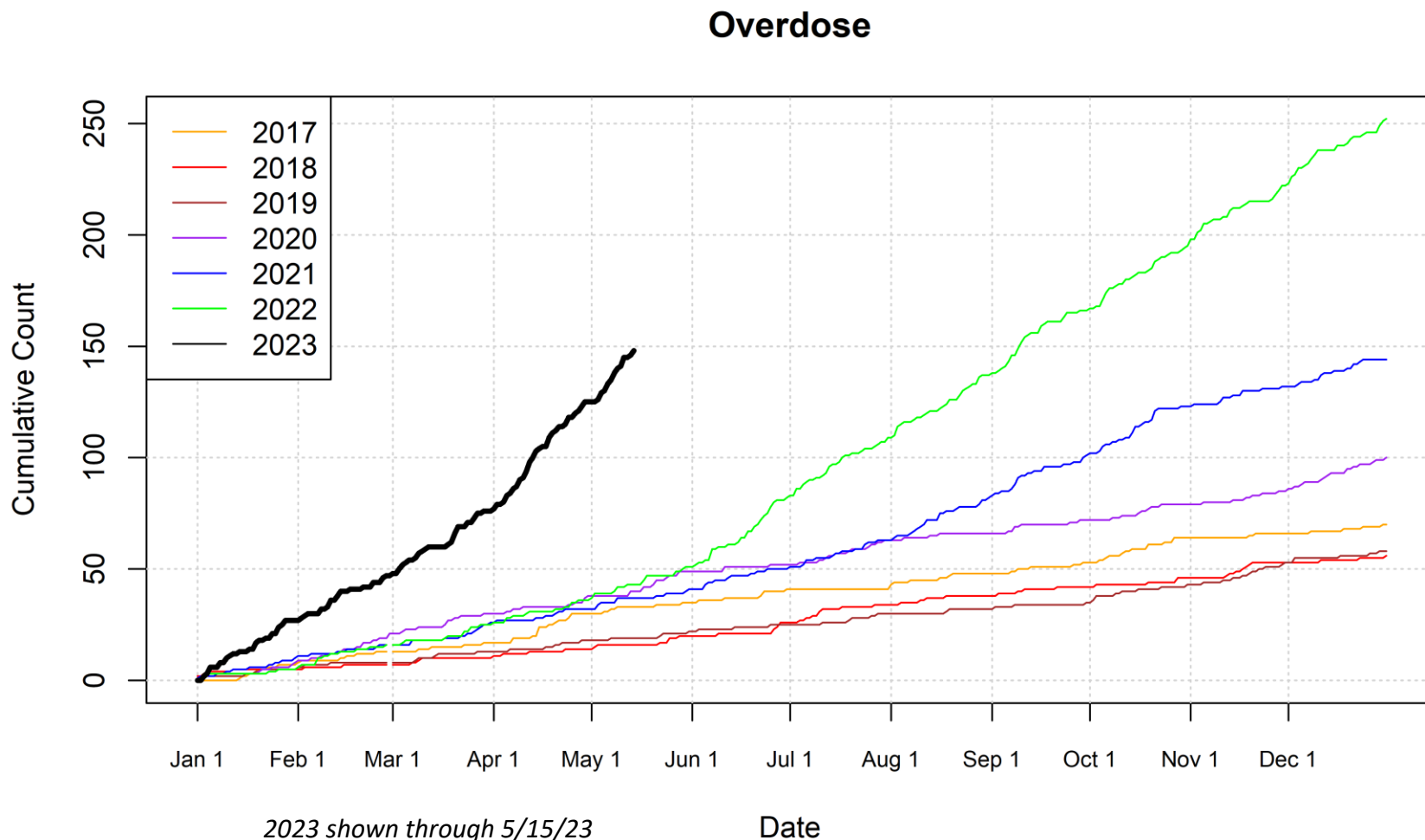
OVERDOSE INCIDENTS

This graph shows all “Overdose” incidents listed in Valcour. It does not show fatal overdoses; in fact, those are often carried as “Untimely Death” incidents until a medical examiner determination can be made.

A recent article in **Curbed** magazine entitled “[Spiraling in San Francisco's Doom Loop](#)” talked about that city’s woes, and noted “to live in San Francisco right now, to watch its streets, is to realize that no one will catch you if you fall. In the first three months of 2023, 200 San Franciscans OD’ed, up 41 percent from last year.”

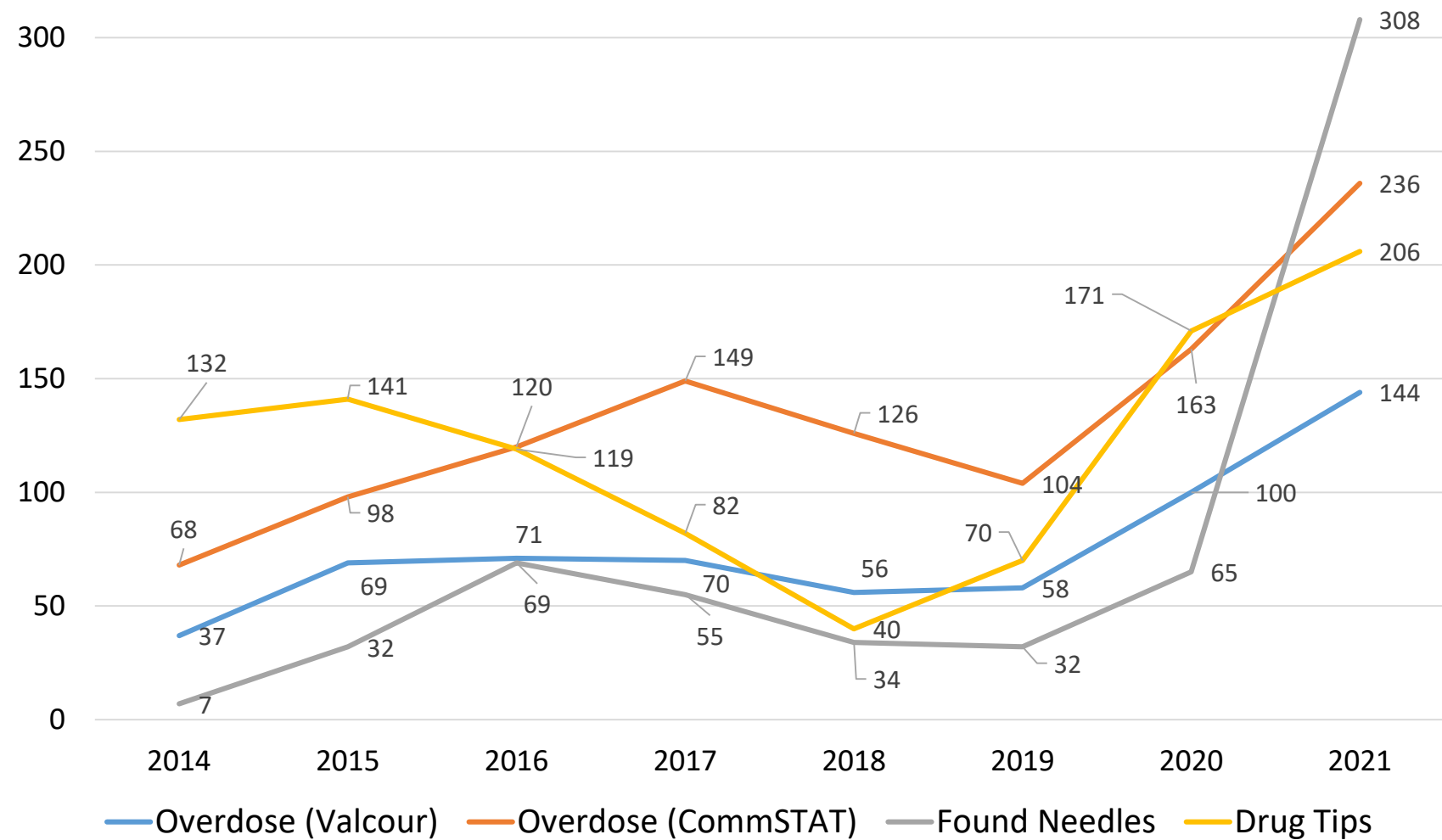
San Francisco has 815,000 people, nearly 20 times Burlington’s population. Year to date, the Queen City has seen 148 overdoses, up nearly 350% from last year.

(Note: although the article does not specify, it may be that it is counting fatal overdoses.)





NARCOTICS-RELATED DATA







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Assist - Motorist CSO	DUI	Lockdown Drill	Suspicious Event *
Assist - Other CSO	Eluding Police	Mental Health Issue *	Theft of Rental Property ONL
Assist - Public	Embezzlement ONL	Minor in Possession of Alcohol	Theft of Service ONL
Background Investigation	Enabling Consumption by Minors	Missing Person	Threats/Harassment *
Bad Check ONL	Escape	Motor Vehicle Complaint CSO	Traffic
Bar / Liquor License Violation	Extortion ONL	Noise CSO	Trespass *
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Contributing to Delinquency of Minor	Forgery ONL	Prescription Fraud ONL	Vandalism ONL
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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	
	Identity Theft ONL	Roadway Hazard	



**BURLINGTON POLICE DEPARTMENT
DEPARTMENT DIRECTIVE
DD03 Fair and Impartial Policing**

Initial Policy: Bias-Free Policing, effective June 22, 2010

Reviewed & Reformatted: November 11, 2012

Reviewed, Rewritten & Replaced with "Fair and Impartial Policing Policy",
June 12, 2017

Reviewed and published March 10, 2020

Reviewed XX, 2023

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	IV.	Policing Impartially
	V.	Community Relations
	VI.	Responding to Bias-based Reports or Reports Regarding Bias from the Community
	VII.	Due Process and Immigration Enforcement
	VIII.	Training and Compliance
	IX.	Accountability and Supervision
	X.	Additional Guidance regarding Due Process and Immigration Enforcement

I. PURPOSE

The purpose of this policy is to require that all employees conduct policing in a fair and impartial manner, to clarify the circumstances in which officers can consider personal characteristics or immigration status when making law enforcement decisions, and to reinforce processes and procedures that enable us to provide services and enforce laws in an equitable and impartial way. Officers will act first and foremost in the best interests of our community and our mission when dealing with undocumented foreign nationals who come to the Department for help or to make reports, giving full priority to public safety and justice concerns. Nothing in the Burlington Police Department (BPD) Fair and Impartial Policing policy is intended to violate federal law.

II. POLICY

- A. Employees are prohibited from engaging in biased policing. This means no member of the BPD shall take actions based on any person's personal characteristics or immigration status, except as described below, in the services our employees provide to the community in connection with our law enforcement activities. To achieve this objective the BPD will implement a combination of best practices including but not limited to: hiring, in-service training, policy development, supervision, reporting and investigative processes, appropriate discipline, and community outreach/partnerships.
- B. It is essential to the mission of the BPD that victims report crimes and fully cooperate in investigations; that witnesses come forward and provide testimonial evidence; that persons report suspicious activity and other information to reduce crime and disorder; and that help is summoned when needed. These activities must be undertaken without hesitation and without fear that the victim, witness, or reporting person will be subject to

prosecution or deportation for no reason other than immigration status. Because of this and because federal law does not require law enforcement agencies to ask about the immigration status of crime victims/witnesses, it is the policy of the BPD that Burlington officers will not ask any person about their immigration status, unless necessary to the ongoing investigation of a criminal offense for which there is probable cause.

- C. Citizenship, immigration status, national origin, race, ethnicity, gender, gender-identity, and sexual orientation should have no bearing on an individual's treatment in the BPD's custody or interactions with the public.

Immigration status or perceived immigration status, including the existence of an 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. Furthermore, personal characteristics and/or immigration status shall not be used as a criteria for citation, arrest, or continued custody under Rule 3 of the Vermont Rules of Criminal Procedure.

- D. Local law enforcement does not have the authority to enforce federal civil immigration laws. Therefore, it is the policy of the BPD that its police officers shall not enforce civil immigration laws.

III. DEFINITIONS

- A. **Biased policing.** Conduct by law enforcement officers motivated by an individual's actual or perceived or self-identified personal characteristics.
- B. **Personal characteristics.** These include actual or perceived race, ethnicity, national origin, color, gender, sexual orientation, gender identity, marital status, mental or physical disability, age, religion and socioeconomic status.
- C. **Immigration status.** Generally refers to the legal rights, if any, of a noncitizen to enter or remain in this country. Examples include, without limitation, "lawful permanent resident," "temporary worker," "refugee," and "undocumented."
- D. **Reasonable suspicion.** Suspicion for which an officer can articulate factual reasons, but that does not rise to the level of probable cause.
- E. **Probable cause.** Facts or circumstances that would lead a reasonable person to believe that a crime has been committed, is being committed, or is about to occur; which is a higher standard than reasonable suspicion.
- F. **Member or employee.** Any employee of the Burlington Police Department, regardless of that person's assigned tasks or duties.
- G. **Potential bias incident.** Any interaction or situation that may involve personal characteristics being used as the reason for a person's action.
- H. **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 Control and Enforcement (ICE) [sic], and U.S. Customs and Border Patrol (CBP) [sic].

IV. POLICING IMPARTIALLY

- A. As required by law, all enforcement actions by Burlington police officers, such as investigation, detentions, traffic stops, arrests, searches and seizures, must be based on reasonable suspicion, probable cause, or other required legal standards, supported by articulable facts, circumstances, and conclusions that support the given action.
- B. Officers are expected to be able to articulate specific facts, circumstances, and conclusions which support the required standard for a given enforcement action. Except as provided below, officers shall not consider the personal characteristics of a person in establishing reasonable suspicion or probable cause, initiating encounters that are not legal detentions, requesting consent to search, or deciding to exercise an official action.
- C. Officers may take into account reported race, ethnicity or other personal characteristics of persons as part of determining a person's identity if the officer receives information the officer considers credible, reliable, and locally relevant that links a person of specific description to the matter requiring police response and is combined with other identifying information.
- D. As required to comply with Title VI of the 1964 Civil Rights Act, officers are expected to utilize professional interpreter services either in person or telephonically when necessary to speak with a person with limited English proficiency. A qualified, professional interpreter is a person who, besides having mastered a native language has acquired fluency in a second, or more languages through a variety of experiences¹. A professional interpreter is able to interpret effectively, accurately, and impartially, both receptively and expressively, using specialized vocabulary by the circumstance². A professional interpreter must be at least 18 years of age, and should be certified by a professional body. Family members, including children (no matter the age), do not constitute professional interpreters and will not be used as such. BPD will be responsible for the cost of any on-scene interpretation services that may be needed; all Supervisors have around-the-clock access to such services.
- E. Officers shall not contact federal immigration authorities for interpretation services, unless a clear emergency requires it, and qualified interpretation services are not available through any other means. Unless one of the exceptions included in Section X applies, the BPD employee shall not ask about the immigration status of the Person for whom interpretation is sought.

V. COMMUNITY RELATIONS

To cultivate and foster transparency and trust, each officer shall do the following when conducting pedestrian and vehicle stops, or otherwise interacting with the public:

- A. Be courteous and professional.
- B. Introduce themselves to the person (providing name and agency affiliation), and state the reason for the stop as soon as practical, unless providing this information will compromise officer or public safety.

- C. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense, and that the person understands the purpose of reasonable delays.
- D. Provide the officer's name and badge number verbally when requested. Officers may also provide the information in writing or on a business card.

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.

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

- A. If any BPD employee receives a call for service that appears to be based solely on an individual's perceived personal characteristics or immigration status, the employee will attempt to ascertain if there are other circumstances or facts that would constitute reasonable suspicion or probable cause. If the complainant can offer no further information, the complainant's contact information will be obtained, and the complainant will be advised that the Officer in Charge (OIC) of the shift will be in contact.
- B. The employee will contact the OIC and explain the circumstances of the call. The OIC should attempt to familiarize the caller with the BPD's Fair and Impartial Policing policy and explain that the BPD responds to actions that appear to be crimes and not to situations that are based on someone's personal characteristics.
- C. At the conclusion of the call, the OIC will ensure that the contact is documented using the BPD's incident report system.
- D. If an employee receives a report of a potential bias incident, the BPD shall either dispatch an officer to evaluate the complaint or refer the caller to the OIC.

VII. DUE PROCESS AND IMMIGRATION ENFORCEMENT

- A. BPD employees do not have authority to enforce federal civil immigration law. The Constitution's Fourth Amendment and the Vermont Constitution's Article 11 right against unreasonable search and seizure apply equally to all individuals present in Vermont. Building trust between police and all residents is vital to the public safety mission of the BPD. Policing in a fair and impartial manner is essential to building such trust. Therefore, officers shall not use an individual's personal characteristics as a reason to ask about, or investigate, a person's immigration status. Officers may inquire about immigration status only when it is necessary to the ongoing investigation of a criminal offense for which there is probable cause. Officers shall not use individual personal characteristics to ask about immigration status.
- B. Burlington police officers are not charged with enforcing and will not enforce civil immigration laws, where the only violation of law is presence in the United States without authorization or documentation. This includes not initiating or prolonging stops based on civil immigration matters, such as suspicion of undocumented status, nor shall they prolong stops for the purpose of allowing federal immigration authorities to conduct

such investigation. Similarly, officers shall not facilitate the detention of undocumented individuals or individuals suspected of being undocumented by federal immigration authorities solely for suspected civil immigration violations.

- C. Because local police officers are not required to enforce “administrative warrants,” “immigration detainers,” and “requests for notification” issued by ICE officers will not detain individuals based on any of these documents alone or comply with requests for notification.
- D. Unless ICE or CBP agents have a judicially-issued criminal warrant, or members have a legitimate law-enforcement purpose exclusive of the enforcement of civil immigration laws, members shall not grant ICE or CBP agents access to individuals in BPD custody.

VIII. TRAINING AND COMPLIANCE

- A. The BPD will ensure that, at a minimum, all members and employees are compliant with Vermont Criminal Justice Council and legislative requirements regarding fair and impartial policing training.
- B. Additional trainings may include instruction on anti-bias, power and privilege, non-English speaking communities, undocumented communities, cultural competency, and victim/witness services.

IX. ACCOUNTABILITY AND SUPERVISION

- A. Accountability is a vital element of policing. Police agencies are better able to achieve the goals of protecting the public safety, enhancing the quality of neighborhood life, and serving community needs if the communities they serve trust them. The means for making a complaint about biased policing shall be readily available to the public. Reasonable efforts should be made to accommodate language barriers.
- B. 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. The BPD will 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 regulating authority may, in turn, impose sanctions up to revocation of officers’ certification.
- C. All members of this agency are required to promptly report allegations, complaints or knowledge of biased policing or suspected violations of this policy to their supervisor. Where appropriate, employees are required to intervene at the time the biased policing incident occurs.
- D. Shift supervisors will accept any complaint from the public regarding any provision of this policy and shall follow the agency’s procedure for handling citizen’s complaints.
- E. The BPD shall ensure that all employees are familiar and in compliance with the content of this policy. Violations of the policy shall result in appropriate disciplinary action as set

forth in the BPD's rules and regulations. 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.

1. Indicators of potential biased policing include but are not limited to: Engaging in racial profiling, i.e., subjecting a person to law-enforcement authority based solely or predominantly on that person's race or ethnicity. Racial profiling is based on stereotypical assumptions derived from a person's race or ethnicity. It is separate from criminal profiling, which relies on actual behavior or on information about suspected activity by a person, the description of whom may include that person's race or ethnicity³.
2. Subjecting a person to law-enforcement authority based solely or predominantly on that person's membership in any protected category. "Protected category" is defined in 13 VSA 1455 C, and includes race, color, religion, national origin, sex, ancestry, age, service in the U.S. Armed Forces or the National Guard, disability as defined by 21 V.S.A. § 495d(5), sexual orientation, gender identity, and perceived membership in any such group.
3. Using racial slurs or derogatory language towards or about persons or groups who are members of any protected category, and/or making comments that express bias or prejudice towards or about such persons or groups, and/or traffic in stereotypes about such persons or groups.
4. Treating individuals differently based on their socio-economic status or perceived social class.
5. Ignoring complaints of police misconduct, particularly from members of any protected category
6. Refusing to work with or engage with community members or organizations based on those members' or organizations' association with any protected category.
7. Demonstrating lack of cultural competency or sensitivity towards people or groups from any protected category.

X. ADDITIONAL GUIDANCE REGARDING DUE PROCESS AND IMMIGRATION ENFORCEMENT

- A. Victim and witness interaction. The cooperation of immigrant communities is essential to prevent and solve crimes and maintaining the safety and security of all residents. The following provisions are intended to support crime victims/witnesses and enhance trust between the police and the community.
 1. To effectively serve immigrant communities and to ensure trust and cooperation of all victims/witnesses, officers will not ask about, or investigate, immigration status of crime victims/witnesses unless the victim/witness is also a crime suspect and immigration status is an essential element of the crime (such as human trafficking).
 2. BPD employees will ensure that individual immigrants and immigrant communities understand that full victim services are available to documented and undocumented victims/witnesses. BPD employees shall communicate that they are there to provide assistance and to ensure safety, and not to deport victims/witnesses. BPD Employees shall remain mindful that:
 - a. Their enforcement duties do not include civil immigration enforcement
 - b. The BPD stands by its mission to serve all Vermonters, including immigrant communities, and to ensure trust and cooperation of all victims/witnesses and shall not share information about crime victims/witnesses with federal immigration authorities, unless it is with the individual's consent.
 3. BPD employees may, in appropriate situations, advise an individual that if they are

undocumented, they may be eligible for a temporary visa.

B. Immigration status.

1. An officer's suspicion about any person's civil immigration status shall not be used as a basis to initiate contact, detain, or arrest that person. The exception to this would be in those instances where the agency member is working with Federal partners in the Stone Garden program or similar Federal initiatives.
2. Officers may not inquire about a person's civil immigration status unless civil immigration status is necessary to the ongoing investigation of a criminal offense for which there is probable cause.
3. Officers shall not make warrantless arrests or detain individuals on suspicion of "unlawful entry," unless the suspect is apprehended in the process of entering the United States without inspection.

C. Establishing identity.

1. Notwithstanding other provisions of this policy, officers may make attempts to identify any person they detain, arrest, or who come into the custody of the Department.
2. An individual shall not be stopped or detained solely for the purpose of establishing his or her identity. Officers may utilize general federal databases in attempts to establish an individual's identity but shall not involve federal immigration officials in such an inquiry unless necessary. Contact with federal authorities made to determine an individual's identity is restricted to the purpose of determining his or her identity.
3. Acceptable forms of identification, which must include a photograph of the individual, may include, driver's licenses from a U.S. state or foreign country, government-issued IDs by a U.S. jurisdiction, foreign passports, and consular ID cards.

D. Civil immigration warrants. Officers shall not knowingly arrest any individual based on a civil immigration warrant, including DHS Forms I-200, I-203, I-205, and any administrative warrants listed in the National Crime Information Center Database (NCIC). These documents have not been issued or reviewed by a neutral magistrate and do not have the authority of a judicial warrant. In addition, these documents do not meet the probable cause requirements of the Fourth Amendment and Article 11 of the Vermont Constitution.

E. Collaboration with federal immigration officers.

1. Officers shall not contact CBP or ICE for assistance solely on the basis of a suspect's or arrestee's race, ethnicity, or national origin.
2. Officers shall not prolong any detention solely in order to investigate immigration status or to allow CBP or ICE to investigate immigration status.
3. Sweeps intended solely to locate and detain undocumented immigrants without reasonable suspicion or probable cause of a crime shall not be conducted unless acting in partnership with a federal agency as part of a formal agreement entered into by the governor.
4. No information about an individual shall be shared with federal immigration authorities unless necessary to an ongoing investigation of a felony, for which there is probable cause, and the investigation is unrelated to the enforcement of federal civil immigration law. Such information includes but is not limited to the individual's custody status, release date/time, court dates, whereabouts, residence, employment,

identification numbers, appearance, telephone number, and familial relations.

- F. Use of resources. Officers shall not hold for or transfer people to federal immigration agents unless the federal agents provide a judicial warrant for arrest. A civil immigration detainer (Form I-247, I-247D, I-247N, or I-247X) is not a warrant and is not reviewed by a judge and therefore is not a lawful basis to arrest or detain anyone. These documents have not been issued or reviewed by a neutral magistrate and do not have the authority of a judicial warrant. In addition, these documents do not meet the probable cause requirements of the Fourth Amendment and Article 11 of the Vermont Constitution. Valid criminal warrants of arrest, regardless of crime, shall not be confused with

immigration detainees. This policy does not affect the proper handling of arrests and detentions associated with criminal arrest warrants.

- G. Single point of contact. The OIC of each shift shall be the single point of contact for requests for cooperation from federal immigration authorities. The OIC shall document and disclose to the Chief any communication with federal immigration authorities related to immigration violations, including information that individual officers may have disclosed to authorities of their own volition, based on knowledge that was obtained through means in compliance with this policy.
- H. Department communication review. The Chief, or designee, shall review records of communications initiated by officers to federal immigration authorities regarding specific individuals. This review is intended to ensure that officers are not violating this policy in the process of acquiring and/or disclosing this information.

Adopted by vote of the City Council of the City of Burlington on March 9, 2020.

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POLICE DEPARTMENT
CITY OF BURLINGTON

Use of Force Report

May 01, 2023 – May 15, 2023

Please note definitions below when reading this report

- **General** - considering or including the main features or elements of something, and disregarding exceptions
- **“Stated to the effect”** is used throughout this report to show the general idea of what someone said instead of their actual words.
- **Synopsis** - a brief or general summary of something.

Total Number of Incidents for 5/1/23 – 5/15/23 – 1153

Total Number of UOF Incidents – 8

Total Uses of Force – 23

Percent of UOF Incidents vs. Total Incidents - .6%

Race/Gender of Arrestee/Subject in UOF Incidents

White Male – 3

White Female – 4

Black Male – 3

Black Female – 0

Incidents

1. 23BU008445

5/3/23

Complainant/Officers Dispatched

Call type – Retail Theft/Unlawful Trespass at local drug store

Charges - Retail Theft, Unlawful Trespass, Resisting Arrest and Assault on a Law Enforcement Officer

Synopsis

The complainant called stating a male that had been previously trespassed from their store had entered the store and stolen approximately \$200 in items and left. Officer arriving on scene located the male nearby. The officers informed the male they were under arrest and he was compliantly handcuffed. The arrestee actively resisted being placed into the police cruiser. An officer had to physically move the arrestee and place him into the cruiser. At BPD the arrestee was asked to sit down on a bench but refused and stated to the effect they were going to kick and resist. An officer took hold of the arrestees arm and sat them down. The arrestee stated to the effect they were going to head butt the officer. The officer had to physically use his arm to hold the arrestee in a seated position.



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Arrestee Actions – Active resistance, Assaultive

Officer Actions

Officer 1 – empty hand controls

Officer 2 – empty hand controls

Arrestee - taken into custody

Black Male Age 38, 5'10", 140 lbs.

Arrestees – no injury from use of force- asked to be screened at UVMMC ED for heart condition. Was brought to ED, evaluated and released by UVMMC ED personnel.

Officer – no injury

2. 23BU008473

5/4/23

Officer Initiated

Call type – Disorderly Conduct – intoxicated male attempting to operate a motor vehicle

Charges – Disorderly Conduct

Synopsis

Intoxicated male made contact with officers several times. A female officer stated to the effect that the male was making inappropriate comments to her about her appearance. The officer would disengage with the male and walk away. The male would then re-approach and engage with them. The intoxicated male wanted to drive home but was upset the officer were present. The male walked into the roadway, then walked to his vehicle and entered it. While in the vehicle he turned the vehicle on with music on loud, exited vehicle and left door open music blaring. Officers approached the male to take him into protective custody. The male actively resisted the officers by pulling his arms away as they attempted to place him in handcuffs. Two more officer arrived and the male continued to actively resist pulling away and attempting to twist from officers grasp. The officers were able to bring the male to the ground to gain control of him. Officers were able to get the male into handcuffs but due to his size had to use two pair of handcuffs connected together to do so.

Arrestee Actions – Active resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls

Officer 2 – Verbal commands/empty hand controls/handcuffing

Officer 3 – Empty hand controls/handcuffing

Officer 4 – Empty hand controls

Arrestee - taken into custody/detox facility

White Male Age 31, 5'05", 250 lbs.



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Arrestee – no injury
Officers – no injury

3. 23BU008737

5/6/23

Officer Initiated

Call type – Agency Assist/Stolen Vehicle located for SBPD

Charges – Operating without Owners Consent

Synopsis

Officer stopped a stolen vehicle out of South Burlington and conducted a high risk motor vehicle stop. Per their high risk motor vehicle stop training they pointed their firearms at the occupants while taking them into custody. The occupants were compliant with officer's orders. Operator arrested for OOC for SBPD.

Arrestee Actions – compliant

Subject Actions – compliant

Officer Actions

Officer 1 – Verbal commands/pointed firearmX1

Officer 2 – Verbal commands/firearm pointed X2

Arrestee - taken into custody transported to SBPD

White Female Age 37, 5'03", 190 lbs.

Subject – detained then released

White Male Age 45, 6'00", 240 lbs.

Arrestee – no injury
Subject – no injury
Officers – no injury

4. 23BU008891

5/8/23

Officer Initiated

Call type – Attempted Homicide – motor vehicle stop of attempted homicide suspect

Charges – Attempted Homicide with a firearm

Synopsis

Officer located motor vehicle with attempted homicide suspect and accomplice. Officers conducted a high risk motor vehicle stop. Per their high risk motor vehicle stop training they pointed their firearms at the occupants while taking them into custody. The occupants were compliant with officer's orders and took the two suspects into custody.

Arrestees Actions – compliant

Officer Actions



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Officer 1 – Pointed firearm
Officer 2 – Verbal commands/firearm pointed X2
Officer 3 – Verbal commands/firearm pointed
Officer 4 – Verbal commands/firearm pointed X2
Officer 5 – Verbal commands/firearm pointed X2
Officer 6 – Firearm pointed

Arrestee - taken into custody

Black Male Age 19, 5'06", 120 lbs.

Arrestee – detained then released on citation

White Female Age 17, 5'05", 125 lbs.

Arrestees – no injury

Officers – no injury

5. 23BU009021

5/9/23

Complainant/Officer dispatched

Call type – Arrest on warrant

Charges – Arrest on two warrants

Synopsis

Bank called stating female had twice tried to cash a bad check. Officers investigating a female attempting to cash a bad check learned she had two warrants for her arrest. The officers stated to the effect that she had warrants and needed to place her hands behind her back. The female complied and was compliantly handcuffed. The female wanted to speak with her boyfriend before being taken to BPD. The officers agreed. Once outside of the bank they could not locate the boyfriend. At the cruiser the arrestee began to scream for her boyfriend and resisted being placed into the cruiser. The officers had to physically place her in the cruiser.

Arrestee Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls

Officer 2 – Empty hand controls

Arrestee - taken into custody

White Female Age 33, 5'04", 150 lbs.

Arrestee – no injury

Officers – no injury



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6. 23BU009103

5/10/23

Complainant/Officer dispatched

Call type – Domestic Disturbance

Charges – 2nd degree Aggravated Domestic Assault, Domestic Assault committed within the presence of a child, 2nd degree Unlawful restraint, Possession of Cocaine, Violation of an Abuse Prevention Order, Resisting Arrest, Impeding a Public Officer.

Synopsis

Complainant called stating to the effect they heard a female and male yelling and items being thrown around in a residence. Officers arrived on scene and also heard yelling coming from the residence stating to the effect it was consistent with more than one person yelling. The officers knocked several times and announced their presence. A male finally answered the door at door. An officer stated to the effect they observed fresh scratch marks on the males arm. Officers stated to the effect they would have to check the residence to ensure the safety of anyone inside. The male closed the door and step in front of it refusing to allow officers to check welfare of others in residence. An officer attempted to knock on the door and the male swatted the officer's hand away. The officers stated to the effect that if the male continued to interfere then he would be arrested for impeding. After attempting to negotiate with the male the officer attempted to take him into custody for impeding. The male actively resisted officers by fighting with them. Officers were able to bring the male to the ground, once there the officer had to physically remove his arms from underneath him and place them behind his back and into handcuffs. The arrestee refused to walk outside to the police cruiser and the officers had to physically move him downstairs and outside. While searching the arrestee, before placing him into the cruiser, he actively resisted pulling his body away from the searching officer. The officers had to bring the arrestee to the ground to finish their search. It should be noted narcotic and a bullet were located on the arrestee's person during the search. The officer's investigation of the incident led to six additional charges.

Arrestee Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls/handcuffing

Officer 2 – Verbal commands/ empty hand controls

Officer 3 – Empty hand controls

Arrestee - taken into custody lodged at correctional facility

White male Age 33, 5'07", 170 lbs.

Arrestee – no injury

Officers – no injury



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7. 23BU009165

5/11/23

Complainant/Officer dispatched

Call type – Gunfire

Charges – Arrest on warrant/Detoxed

Synopsis

Officers investigated gunfire incident in City Hall Park. Male appeared highly intoxicated was involved in a disturbance with the firearm being discharged. The male approached officers and made quick statements stating to the effect that a gun was discharged and that he would find “him”. During an interview with an officer the male stated to the effect that he attempted to use the public bathroom in City Hall Park, a male was consuming narcotics in the bathroom, there was an altercation and the male using the narcotics had discharged a firearm. The male would not identify himself and tried several times to leave the scene. Due to the male's level of intoxication officers attempted to take him into protective custody. The male actively resisted pulling away and attempting to run from officers but an officer was able to bring the male to the ground. An officer had to physically pull out one of the male's arms to place it behind his back. A third officer who had been stating to the effect to stop resisting held the male's arm so the officer could finish handcuffing the male. An officer stated to the effect they were concerned the male was going to spit at them, used his hand to move the male's head so they could not spit at them. The male was stood up and escorted to the police cruiser.

While in the cruiser male attempted to harm himself by striking his head off the partition in the cruiser causing a laceration. The officer stated to the effect that if the male did not stop he would be sprayed with OC. The male did not stop striking his head and the officer deployed OC to stop their self-harm. The male was identified and had an arrest warrant.

Arrestee Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls

Officer 2 – Verbal commands/Empty hand controls/handcuffing

Officer 3 – Verbal commands/empty hand controls/OC deployed

Arrestee - taken into custody

Black Male Age 21, 6'00", 160 lbs.

Arrestee – no injury from UOF/ He was evaluated by members of the Burlington Fire Department for striking his head off the partition but refused to cooperate with them and was eventually transported to the University of Vermont Medical Center for treatment.

Officers – no injury



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8. 23BU009472

5/14/23

Complainant/Officer dispatched

Call type – Felony Domestic Assault

Charges – 1st Degree Aggravated Domestic Assault with a weapon

Synopsis

Complainant called BFD originally for an injury. The complainant called back and advised someone had been stabbed. Upon arrival officers stated to the effect they observed an upset female outside of the residence who got up and attempted to enter the residence where the victim was. The officer stated to the effect that they did not know what role the female had in the incident, victim, and witness or suspect so officers prevented her from entering the residence by taking a hold of her arm the female began to resist attempting to pull away from the officer. A second officer took hold of her arm. When her arm was grasped the female collapsed herself onto the floor. Officers then placed her hands behind her back and placed her into handcuffs to detain her. After investigation the female was arrested for stabbing the victim.

Arrestee Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls/handcuffing

Officer 2 – Verbal commands/Empty hand controls

Arrestee - taken into custody

White Female Age 31, 5'02", 101 lbs.

Arrestee – no injury

Officers – no injury



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USE of Force Report
April 01, 2023 – April 30, 2023

Total Number of Incidents for 4/1/23 – 4/30/23 – Incidents 2459

Total Number of UOF Incidents – 17

Total Uses of Force – 48

Percent of UOF Incidents vs. Total Incidents - .7 %

Race/Gender of Arrestee/Subject in UOF Incidents

White Male – 9

White Female – 10

Black Male – 6

Black Female – 0

Asian Male – 1

Incidents

1. 23BU006063 Arrest Unlawful Trespass

Complainant/ Officers Dispatched

4/05/23

Complainant called stating that a female that had been recently evicted by the Chittenden County Sheriff's Department had broken back into the residence and locked themselves inside. Previously the female had told the Sheriff's Deputies that she had a firearm. Officer attempted to negotiate with the female. Due to the possibility of a firearm it was decided to for the safety of the female and the officers a robot would be deployed inside to see if the female was armed with a firearm. While approaching the back of the residence to deploy the robot the female came to the back door. Two officers pointed their firearms at the female in the backdoor window and gave verbal commands to show her hands. The female complied and was taken into custody without incident. While escorting the arrestee to a police cruiser the female began to resist and an officer had to physically move her to the cruiser to be transported.

White Female Age 36, 5'08" 150 lbs.

3 Officer

Officer 1 – Verbal commands/Firearm pointed

Officer 2 – Verbal commands/Firearm pointed

Officer 3 – empty hand controls.

Arrestee – no injury



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Officer – no injury

2. 23BU006202 Arrest Violation of Conditions of Release/Resisting Arrest

Officer Initiated

4/07/23

Officer observed a male in City Hall Park who had court ordered conditions to not be in the park. The officer approached the male and advised him of the conditions. The male began to back away and the officer took hold one of the male's arms telling him he was under arrest. The male began to resist attempting to pull away from the officer. The officer told the male to stop resisting approximately 15 times before taking the male to the ground in a controlled manner. Once on the ground a second officer was able to handcuff the arrestee.

Black Male Age 25, 5'09" 200 lbs.

2 Officers

Officer 1 – Verbal commands/empty hand controls

Officer 2 – empty hand controls/handcuffing

Arrestee – no injury

Officers – no injury

3. 23BU006231 Domestic Disturbance

Complainant/ Officers Dispatched

4/7/23

Complainant called stating their juvenile adopted daughter was being assaultive towards them. When officers arrived at the residence they found the parents struggling to hold the juvenile down on the floor as the juvenile was reaching for objects. Two officers assisted by taking hold of the juvenile's arms and holding her down and the father moving to hold the juveniles legs down. Officer attempted to de-escalate the juvenile but she continued to struggle and made statements of wanting to die and telling the officer to kill her. A third officer arrived and relieved the father and held the juveniles legs down. The Burlington Fire Department arrived and a fourth officer were able to place the juvenile in handcuffs and have her transported by BFD to UVMC ED for mental health evaluation.

White Female Age 12, 5'06" 130 lbs.

4 Officer

Officer 1 – Verbal de-escalation/empty hand controls

Officer 2 – empty hand controls

Officer 3 – empty hand controls.



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Officer 4 – empty hand controls/handcuffing

Subject – no injury

Officers – no injury

4. 23BU006239 Arrest Unlawful Trespass

Complainant/Officers dispatched

4/07/23

Employee of downtown bar called stating a male was refusing to leave the premises. Upon arrival two officers located the male sitting at the bar. The officers informed the male that the bar wanted him to leave. The male refused to leave. The two officers each took hold of an arm and stood the male up. The male resisted and the officers had to escort him out of the bar. Outside the officer explained to the male he was under arrest and to place his hands behind his back. The arrestee refused to do comply and the officers had to physically place his hands behind his back and handcuff him.

White Male Age 60, 5'07" 170 lbs.

2 Officers

Officer 1 – Verbal commands/empty hand controls

Officer 2 – empty hand controls/handcuffing

Arrestee – no injury

Officers – no injury

5. 23BU006276 Arrest Unlawful Trespass

Complainant/Officers dispatched

4/08/23

Employee from the local shelter modular pod housing called stating they had a female client that was refusing to leave. The female was not following the agreement she signed and was refusing other services. Three officers arrived on scene. Members from Howard Health Services and a BPD Community Service Liaison were also present. They attempted to have dialogue with the female client but she refused to listen to them. Staff read the trespass notice to the female and officers then provided her an opportunity to leave of her own violation. Two officers advised she was under arrest and each took hold of an arm and escorted her out of the pod doorway. The female began to resist by attempting to pull away from the officers. A third officer took hold of the arrestee's arm allowing one of officers to place the arrestee in handcuffs.



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White Female Age 35, 5'01" 110 lbs.

3 Officers

Officer 1 – Verbal commands/empty hand controls

Officer 2 – empty hand controls/handcuffing

Officer 3 – empty hand controls

Arrestee – no injury

Officers – no injury

6. 23BU007085 Arrest on Warrant

Complainant/Officers dispatched

4/17/23

Complainant called concerning an overdosing subject. Upon arrival officer located numerous subjects trespassing at the residence. A female was identified by the property owner and was trespassed. Officer later checked her name with dispatch and was found to have a Governors warrant from the State of New Hampshire. Officer relocated the female nearby and spoke with her. They advised the female of the warrant for her arrest and she attempted to walk away. One officer took hold of her arms and put them behind her back where another officer compliantly handcuffed her without incident.

White Female Age 37, 5'08" 160 lbs.

1 Officers

Officer 1 – Verbal commands/empty hand controls

Arrestee – no injury

Officers – no injury

7. 23BU007158 Arrest Violation of Conditions of Release/Impeding/Resisting Arrest/Assault on Law Enforcement Officer

Complainant/Officers dispatched

4/17/23

Female complainant called stating a male subject in their residence was overdosing. Officers and the Burlington Fire Department arrived on scene. The male answered the door, stated they were all set and slammed the door. Officers recognized the male and dispatch advised the male



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had a warrant for his arrest. Officer made contact with the female caller who allowed them into the residence. The officers entered and asked the female where the male was. The male stepped into view. The officer ordered the male to put his hands behind his back and turn around. The officer then took hold of the male's right arm. The male immediately attempted to pull away from the officer. A second officer attempted to assist the first officer in gaining control of the male. The first officer told the male to stop resisting and warned the male he would be tased. The male continued to resist. The officer drew his CEW and applied a drive stun to the male's torso. The male grabbed the CEW and the officer pulled it away and discarded the CEW. While the officers continued to attempt to control the male, he attempted to claw at one of the officers face. The officers and male were on a couch in the residence, with a firefighter holding the male's legs, when a third officer arrived on scene. The officer took hold of the male's legs. The male fought to pull his legs free, the officer drew his CEW and warned the male to stop or he would be tased. The officer did not tase the male and holstered their CEW. The officers were able to move the still resisting arrestee from the couch to the floor. There they attempted to handcuff the arrestee. A fourth officer had to assist the handcuffing officer and move the arrestee's hand to the small of their back. The arrestee was placed in handcuffs.

White Male Age 67, 5'08" 180 lbs.

4 Officers

Officer 1 – Verbal commands/X6/empty hand controls/CEW deployed/empty hand controls/

Officer 2 – Verbal commands/empty hand controls/handcuffing

Officer 3 – empty hand controls/CEW displayed

Officer 4 – empty hand controls

Arrestee – no injury

Officers – no injury

8. 23BU007231 Arrest Disorderly Conduct

Complainant/Officers dispatched

4/18/23

Complainant called concerning a female who had stopped her vehicle in traffic on North Avenue. As Officers responded the female began to disrobe. When officer arrived on scene the female was seated in her vehicle with no pants on. The female was nonverbal with officers who attempted to speak with her. The female did at one point attempt to drive off, .A officer was able to place the vehicle in park and removed the keys from the vehicle. The Burlington Fire Department arrived on scene. Officer and street outreach spoke with the female over the course of approximately 35 minutes trying to assess what was going on and to have her exit the



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vehicle. During this time the female would strike the side of her head with her hands and scream. BFD spoke with a Doctor at the UVMHC ED and were given permission medically assist the female. An Officer had to hold the females arms while a BFD Paramedic worked with the female. Officers had to physically remove her from the vehicle and place her on a stretcher. The arrestee was transported to UVMHC ED for evaluation.

White Female Age 24, 6'02" 250 lbs.

4 Officers

Officer 1 – Verbal conversation/empty hand controls

Officer 2 – Verbal conversation/empty hand controls

Officer 3 – empty hand controls

Officer 4 – empty hand controls

Arrestee – no injury

Officers – no injury

9. 23BU007272 Arrest Unlawful Trespass

Complainant/Officers dispatched

4/19/23

Complainant called stating they observed a male breaking into the old YMCA building. The property manager when contacted advised he needed police assistance in clearing the building. Officers announced their presence. Officers then entered the building with their firearms drawn and began their search of the building. During the course of their search the one officer pointed their firearms at the 4 arrestees they encountered in the building. The four were handcuffed and taken into custody without incident.

White Male Age 37, 5'08" 170 lbs.

White Male Age 29, 5'09" 135 lbs.

White Male Age 26, 5'11" 170 lbs.

White Female Age 28, 5'06" 184 lbs.

1 Officers

Officer 1 – Verbal command/firearm pointed

Arrestees – no injury

Officers – no injury



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10. 23BU007293/23BU007313 Arrest Unlawful Trespass/Simple Assault on a Police Officer/Simple Assault on a Firefighter

Complainant/Officers dispatched
4/19/23

TSA called stating they had a disorderly male in the screening checkpoint. The male was stating he was being poisoned by fentanyl when TSA swabbed his hands while being screened for explosives. The disturbance by the male caused the TSA to shut down the entire checkpoint lane. The airport officer responded as did a supervisor from downtown. The male was cleared by TSA screening and was free to leave but refused. South Burlington Fire Department arrived at the male's behest. The Burlington International Airport Director issued a 1 day trespass to the male. At this point the male refused all medical services. An officer told the male he had to leave and he initially refused but then started walking. After a short distance the male stopped and started to sit on a screening machine. The officer advised the male he was under arrest at which point the male dropped to the ground. Officers both took hold of an arm and placed the male prone on his stomach and handcuffed him. Officers assisted the arrestee back to his feet and then walked him out of the terminal to a police cruiser. The arrestee would plant his feet to stop the officers from walking him out. The arrestee was brought to BPD where they refused to exit the cruiser. Two officers had to physically remove the arrestee from the back of the cruiser. The arrestee refused to walk into the holding area and the officers also had to physically escort him into the holding area. Once there, officers removed the handcuffs. The arrestee refused to remove his shoes or remove the shoelaces. The officer negotiated with the arrestee for approximately 5 – 7 minutes. The arrestee was then placed back into handcuffs and secured to a bench in the holding cell. A judge was contacted and the arrestee was given a court date and conditions. Officers returned to the cell, explained to the arrestee they were being released and freed him from the bench. The arrestee refused to leave and would not allow the officers to remove the handcuffs from his hand. An officer again secured the male to the bench, while doing this the male kissed the side of the officers cheek and stated to the effect that he hoped the officer now had what he had in him. As the officer backed out of the cell the male kicked the officer in the shin. An emergency evaluation warrant was obtained and BFD was called in to assist in transport of the arrestee to UVMHC ED. The arrestee stated he was going to spit on officers so a spit hood was applied. An officer had to hold the arrestee while the handcuffs were removed and he was put onto a gurney with BFD assistance. A fire fighter was reaching over the arrestee to pull a strap on the gurney tighter the arrestee head butted the fire fighter. The arrestee was transported to UVMHC ED.

White Male Age 37, 5'09" 160 lbs.



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4 Officers

Officer 1 – Verbal commands/empty hand controls/handcuffing

Officer 2 – Empty hand controls

Officer 3 – Empty hand controls/handcuffing

Officer 4 – Empty hand controls

Arrestee – no injury

Officers – no injury

11. 23BU007493 Arrest Unlawful Trespass

Complainant/Officers dispatched

4/21/23

Complainant called stating a female was refusing to leave the UVMMC ED. An employee told her she would have to leave after she had yelling in the waiting room and triage room and when she had not been seen immediately she started wandering through the hospital. Two officers arrived on scene and escorted her outside. The female then went and sat on the curb by the Ambulance entrance and refused to leave. Officer placed her under arrest for unlawful trespass and had to physically stand the arrestee up and escort her to the police cruiser. Due to the arrestees arm being in a sling officers did not handcuff her.

White Female Age 43, 5'05" 140 lbs.

2 Officers

Officer 1 – Verbal commands/empty hand controls

Officer 2 – Empty hand controls

Arrestee – no injury

Officers – no injury

12. 23BU007660 Arrest Violation of Court Conditions of Release

Officer initiated

4/23/23

Officer observed a male they knew to have a court issued 24 hour curfew South Winooski Avenue. The officer went out with the male who stated his conditions had changed. The officer patted the male for weapons and located a knife which was also a violation of his Conditions of Release. Two other officers were now also on scene. The officer told the male he was under



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arrest for violating his conditions of release. Officers asked him to remove his satchel so they would not have to cut it off. The male complied but filled his hands with items as well. Two officers each took an arm while the third removed some of the items from the arrestee's hands. The two officers physically moved the arrestee hands behind his back and placed him in handcuffs. The arrestee was told to get into the cruiser several times but did not comply. The officer turned the male had placed his hand on the arrestee's chest while grasping the arrestee's waist band and belt and sat him into the cruiser. The arrestee tried to kick the officer but missed. At BPD the arrestee asked for BFD for an asthma issue. BFD arrived and evaluated him finding no issues. The arrestee then stated he needed a MRI/imaging for prior pain. The arrestee transported to UVMHC ED by BFD, evaluated, released and lodged on \$200 bail.

Black Male Age 43, 6'02 180 lbs.

2 Officers

Officer 1 – Verbal commands/empty hand controls/handcuffing

Officer 2 – Empty hand controls

Arrestee – no injury

Officers – no injury

13. 23BU007678 Arrest Disorderly Conduct

Complainant/Officers dispatched

4/23/23

The owner of a downtown pizza shop called stating a male was inside waving a knife around and threatening people. An officer arriving on scene observed the suspect near the pizza shop. The suspect started coming towards the officer. Because the suspect had been armed with a knife the officer drew their firearm and pointed at the suspect. The officer gave them commands to get on the ground and the male complied. Two other officers arrived and compliantly handcuffed the suspect. The suspect was arrested for Disorderly Conduct.

White Male Age 34, 5'11" 175 lbs.

1 Officers

Officer 1 – Verbal commands/firearm pointed

Arrestee – no injury

Officers – no injury



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14. 23BU007713 Protective Custody

Complainant/Officers dispatched
4/24/23

911 caller stating a male was outside his residence with a firearm before disconnecting. Officer approaching the address of the residence observed a motor vehicle traveling at a high rate of speed. The officers stopped the vehicle and a male exited the vehicle and quickly approached officers stating he was the caller. One officer was able to have the male place his hands on his head. The other two officers drew their firearms and one pointed their firearm at the operator. Once the officers had control of the scene, one officer holstered his firearm and assisted the officer with the male. The officer told the male he was being detained, to place his hands behind his back and not to resist. The male did not comply and the officer had to physically move the male's arm behind his back and the male was placed in handcuffs. The officer then returned to the vehicle and had the operator exit. The officer briefly placed her in handcuffs and explained what had happened. The officer removed from the handcuffs. The operator stated to the officer the male had taken several illicit drugs and was acting erratically. Officers took him into protective custody. An officer transported the male to UVMHC ED. At the hospital in triage the male, who had become more resistive, attempted to leave. The male wrapped his leg around the officer's leg. The officer took the male to the ground and held him there until UVMHC ED staff brought a wheel chair over. The male was admitted to UVMHC ED due to his condition.

White Male Age 38, 5'11" 185 lbs.

White Female Age 58, 5' 02" 180 lbs.

3 Officers

Officer 1 – Verbal commands/firearm pointed/empty hand controls

Officer 2 – Firearm displayed/verbal commands/empty hand controls/handcuffing

Officer 3 – Verbal commands/empty hand controls

Arrestee – no injury

Officers – no injury



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15. 23BU007920 Arrest Distribution of Narcotics/Warrant Arrest

Officer initiated

4/27/23

Burlington Police executed a Narcotic Search warrant at a residence in Burlington. The officers knocked and announced their presence at the door to the residence. The officer gave verbal commands for the subjects inside to exit the residence. No subject exited the residence. Officer entered the residence and began to clear it. During the clearing of the residence officers had the firearms out and pointed them at subjects they came in contact with. A male subject attempted to flee out of a window but was detained. Officers located 2 more subjects, a male and female, in the residence. The two were handcuffed and detained. The male and female were arrested on warrants. The third subject was released.

White Male Age 33, 5'05" 155 lbs.

Asian Male Age 51, 5'05" 140 lbs.

White Female Age 42, 5'03" 140 lbs.

6 Officers

Officer 1 – Verbal commands/firearm pointed/handcuffing

Officer 2 – Empty hand controls

Officer 3 – Verbal commands/firearm displayed

Officer 4 – Verbal commands/firearm pointed

Officer 5 – Verbal commands/firearm pointed

Officer 6 – Verbal commands/firearm pointed

Arrestees – no injury

Officers – no injury

16. 23BU007937 Arrest Violation of Conditions of Release/Warrant

Officer initiated

4/27/23

Detective unit observed the operator of a motor vehicle and believed it to be a wanted suspect from the previous search warrant, 23BU007920 that was not located. They asked an officer to stop the vehicle and ascertain the identity of the operator. The officer conducted a high risk motor vehicle stop when the vehicle pulled into a gas station. One officer pointed their firearm at the male operator and told him to place his hands on his head. The second officer reached the male and compliantly handcuffed the male. The operator was not the suspect but had a warrant for their arrest and was in violation of a 24 hour curfew condition of release. A second



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occupant a female subject was removed from the vehicle and during this a firearm was pointed at her. The female was complaint and not detained.

Black Male Age 35, 5'10" 180 lbs.

White Female Age 48, 5'06", 145 lbs.

1 Officers

Officer 1 – Verbal commands/firearm pointed

Subject – no injury

Arrestee – no injury

Officer – no injury

17. 23BU008172 Search Warrant Attempted Homicide/Arrest Narcotic Possession

Officer initiated

4/29/23

Burlington Police officers executed a search warrant at the apartment of an attempted homicide. The officers knocked and announced their presence at the door to the apartment. No one came to the door or replied. An officer announced their presence once more. Upon receiving no reply officers made entry into the apartment. During a sweep of the apartment the officers located 3 male subjects and firearms were pointed at them. The three subjects obeyed commands and were compliantly handcuffed and detained. Two subjects were arrested for narcotic possession.

Black Male Age 15, 5'06" 150 lbs.

Black Male Age 19, 5'08" 160 lbs.

Black Male Age 20, 6'02" 160 lbs.

4 Officers

Officer 1 – Verbal commands/firearm pointed

Officer 2 – Firearm displayed

Officer 3 –Verbal commands/firearm pointed

Officer 4 – Firearm displayed

Subject – no injury

Arrestees – no injury

Officers – no injury



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COMMENDATIONS RECEIVED FOR THE MONTH OF APRIL 2023

#1

Subject: ½ Marathon

Message: I just wanted to drop a line and say Thank You for putting together the Officers for Saturday's race. Those 3 guys were rock stars, super good with public facing duties, A+ interactions with the drivers and spectators and our runners. We could not be more pleased. I hope you will pass my Thanks along to them, and I really hope we can get that crew assigned for the marathon next month.

#2

Subject: Thank you

Message: Last evening around 2:00 a.m., my wife and I called 911 regarding a trespasser/potential intruder on our porch at ** in Burlington. A young man in some sort of mental or drug-induced distress was pacing our front porch and then intermittently banging his head against our front door while attempting to gain entry. Two Burlington patrol officers arrived promptly after our call and handled the situation appropriately and definitively for all concerned.

We're very thankful for their hard work, professionalism, and willingness to keep Burlington safe for all in difficult times.

**redacted for privacy.

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