

Police Commission Meeting 9/26/2023

{DRAFT}

Commissioners present: Co-chair Shakuntala Rao, Co-chair Mary Cox, Jessica Oski, Jack Keefe, Susan Comerford

Not present: Kevin Garrison

Others present: Jon Murad, Keaton Knowles (Clerk's Office)

1. Agenda

- a. Commissioner Cox moves to adopt the agenda
 - i. Commissioner Oski seconds
 - ii. The motion passes

2. Approval of minutes

- a. Commissioner Oski moves to approve the minutes from the August 22nd meeting and the September 12th special meeting
 - i. Commissioner Cox seconds
 - 1. Commissioner Keefe amends that he was not present at the September 12th meeting
 - ii. The motion passes

3. Public forum

- a. No members of the public chose to speak during public forum.

4. Chief's report

- a. To read the full Chief's report, please see the agenda packet.
- b. During the presentation slide regarding drug overdoses in Burlington, Commissioner Oski asks what the role of police are when responding to a drug overdose call where paramedics are also called to the scene.
 - i. Chief Murad responds that Police Officers historically have often been the first emergency service to arrive on scene during these calls, and officers are equipped with narcan. He also responds that Police Officers are sent on these calls because there may be drug crime involved, and that the presence of Police Officers on these scenes is a safety measure for the other emergency response teams. He also notes

that he has been in discussion with the Fire Chief about moving some of these drug overdose calls to medical-only emergency responses, and that the Police Department has also been in discussions about having the Community Support Liaisons respond on these calls.

- ii. Commissioner Cox suggests that if the federal government shuts down, the Police Department and the Coast Guard engage in solidarity and morale efforts.
- iii. Commissioner Rao asks about the Police Department fleet vehicle ordering process and timeline.

- 1. Chief Murad responds that the City of Burlington had been in the process of ordering 5 vehicles, but that the process has not been completed.

- 2. Commissioner Rao offers that the Police Commission may be willing to verbally support the Police Department's need for more fleet vehicles.

- a. Chief Murad responds that Mayor Weinberger has been supportive of the Police Department's needs and that the ordering for those 5 vehicles has not been denied, but that the process is likely just held up temporarily.

- 3. Commissioner Rao asks how the Police Department plans to balance the volume of drug tips they receive with the fact that the Police Department is behind on catching up with online crime reports.

- a. Chief Murad responds that the online crime reporting system is different from the drug tip line; the drug tips go directly via email to the drug unit, who are then able to review the tips and respond. The online crime reporting system, on the other hand, is a formal police report process which is backlogged because the process is more laborious.

5. Commission business

a. Use of force reports

- i. The Commission has not had a chance to review the use of force reports, so they agree to hold the review of those reports until the October Police Commission meeting.

b. NAMI VT presentation

- i. Laurie Emerson, Executive Director of the National Alliance on Mental Illness (NAMI), presents on NAMI VT's efforts in support, education, and advocacy for anyone experiencing or affected by mental illness. Laurie presents statistics on police encounters with individuals experiencing mental illness, and urges both the Police Department and the Police Commission to coordinate efforts to increase education around mental illness and offer resources to individuals experiencing mental illness.
 - 1. Commissioner Cox asks Chief Murad to speak on the CARES program.
 - a. Chief Murad responds that the CSLs do hand out NAMI VT materials in the community. He also responds that the CARES team is still in the process of being put together.
 - 2. Commissioner Cox notes that the Police Department has had crisis intervention training (CIT) in their plans but have been unable to send any officers to the recent trainings due to the trainings' lengths; she asks if a mental health first aid training might be helpful in the interim.
 - a. Laurie Emerson comments in support of any mental health trainings.
 - 3. Commissioner Rao asks how NAMI VT has addressed mental health issues specifically within New American communities.
 - a. Laurie Emerson responds that one effort NAMI VT makes is to connect with faith leaders within New American communities, because people in these communities often go to their faith leaders when they are experiencing trauma or mental health issues. Laurie also notes that creating welcoming communities opens up space for people to feel comfortable addressing their own mental health.

c. **2022 annual report presentation**

- i. Zoe Portlas presents the 2022 Police Department annual report. To read the full report, please see the agenda attachments.
 - 1. Commissioner Oski asks Chief Murad about the racial disparity in arrest data.
 - a. Chief Murad responds that he does not see troubling patterns in the use of force reports. He comments that the 2022 statistics on

violent crimes do indicate a racial disparity for victims as well as those perpetrating those crimes, but says that this is not necessarily indicative of officer bias.

2. Commissioner Keefe asks Chief Murad if steps can be taken to improve.
 - a. Chief Murad responds that he hopes these numbers can improve, but that these numbers are not necessarily intentional. He states that the subjects of arrest are the ones who decide if force will be used during an arrest. He notes that the Police Department engaged in a training around systemic oppression and bias; the state requires 4 hours of this training, but the Burlington Police Department engaged in 16 hours. He states that the Police Department doesn't want to have to use force against anyone and that cooperation is the ideal outcome for everyone, but that cooperation is not always received.
3. Commissioner Oski notes that police can escalate a situation which may result in use of force, and that it is therefore unhelpful and naïve to claim that the subject is always the one who determines the amount of force used.
4. Commissioner Rao agrees with Commissioner Oski's statement. She brings up the nonviolent misdemeanor arrest statistics from the 2022 annual report and comments that based on the data, there is still some learning to be done within the Police Department.
5. Chief Murad responds that with regard to officer safety, officers were twice as likely to be injured during arrests with resisting subjects of color than they were during arrests with resisting white subjects. (reference: page 43 table 23 of the 2022 annual report)
 - a. Commissioner Keefe asks about the relevance to bias, as well as for clarification about the point being made by this claim.
 - b. Chief Murad responds that this data indicates a level of resistance in force being used against officers, and that this shows that the subject is the one who determines whether force will be used.

- c. Commissioner Oski comments that an officer with racial bias may amp up a situation and may therefore be more likely to be injured, and that she does not see how this data proves that the subject is the one who determines force.
 - d. Commissioner Rao agrees that there may be other factors contributing to this data.
 - e. Commissioner Keefe notes concern with the claim that racial bias does not contribute to use of force, as well as with the claim that a subject of color is more likely to injure an officer.
 - f. Chief Murad clarifies that he did not claim that there is no racial bias, but that disparity does not always equal bias. He also notes that there are always opportunities for improvement.
 - g. Commissioner Cox notes that the law of small numbers may be skewing this data, and that looking at each of these cases individually may be more effective in determining data.
6. Commissioner Keefe asks Zoe Portlas for clarification on the data regarding disorderly conduct, which was re-classified in 2023.
- a. Zoe Portlas responds that in order to be able to compare this data accurately against previous years, the 2022 report re-classified previous years' disorderly conduct data as well so that is consistent across all years.
7. Commissioner Keefe asks for clarification on "person-incident" data (page 12 figure 1 of the 2022 annual report) and if this data could impact how resources are allocated on Police calls in the future.
- a. Zoe Portlas clarifies that these conversations are happening in various departments within the City, and that efforts like the CSLs might help reduce recidivism.
 - b. Chief Murad asks what number of people the 40% of represents.
 - c. Zoe Portlas responds that the 40% is approximately 2,000-3,000 people.
8. Commissioner Oski asks for clarification on what is meant by the term "responded" in the report, regarding the data about Police Officers

responding to 24,856 incidents in 2022—what percentage of those responses were Police Officers being sent to the scene immediately vs. situations which were followed up on later, such as online reports.

- a. Zoe Portlas responds that this specific data breakdown is not included in the report, but that this information can be provided as a follow-up.

6. Officer and staff commendations

- a. The Police Commission has not had a chance to review the officer and staff commendations yet.
- b. The Police Commission briefly discusses the idea of the Commission writing commendations to the Police Department as a whole to comment on practices and policies, rather than to specific officers; they agree that this may be a larger discussion to be had among the Police Commission.

7. Commissioner updates

- a. The Police Commission has not received a response from the Police Union regarding the letter sent to the Police Union by the Police Commission which was presented in the August Police Commission meeting. To read the full letter, please see the August 22nd agenda packet.
- b. There are not yet any updates to the sub-committees formed with attorney Anthony Iarrapino.
 - i. Chief Murad comments that the sub-committee working on re-writing the body-worn camera footage review language should be doing so in collaboration with the Police Department.
 - ii. The Police Commission notes that this collaboration is part of their goal.
- c. The Police Commissioners have been asked by the Joint Ordinance and Charter Change Committee on Police Oversight to review two City Council proposals. Co-chair Rao asks the Commissioners to draft their comments and send those to the Police Commission co-chairs.

8. Adjournment

- a. The meeting adjourns at 8:03pm