



Police Commission Meeting - Tuesday, September 28, 2021 @ 5:00 pm. **In-Person**** City Hall Contois Auditorium - 149 Church Street, 2nd Floor 9/28/2021**

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Generated by Shannon Trammell on Monday, October 4, 2021

DRAFT MINUTES.

Members Present: Jabulani Gamache, Shireen Hart, Melo Grant, Suzy Comerford, Kevin Garrison, Yuol Herjok joined at 5:16 pm.

Others Present:

Acting Chief Jon Murad

Counsel Present:

Hayley

1. Agenda

1.01 Call to Order

Meeting called to order at 5:15pm

1.02 Roll Call and Determination of Quorum

1.03 Additions or Modifications to Agenda

Motion by Jabulani Gamache, seconded by Suzy Comerford to amend agenda item 6.01 to note time certain for 6:30pm.

Final Resolution: motion passes unanimously

2. Executive Session



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2.01 Executive Session (time certain 5:05pm - 6:00pm)

Motion made by Jabulani Gamache, seconded by Melo Grant, to enter Executive Session to discuss disciplinary action against public employees pursuant to 1 VSA 313a4 and invite legal counsel and Acting Chief of Police and Deputy Chief pursuant to 1 VSA 313b

Final Resolution: motion passes unanimously

Commission entered Executive Session at 5:17pm

Commission exited Executive Session at 6:32pm

3. Commission Actions

3.01 Approve the Minutes from the Regular Commission meeting on 8/24/2021

4. Public Forum

4.01 The Public is invited to speak regarding issues of interest for the Commissions consideration

Robert Wright - spoke supports mental health services for general public and for the police.

5. Chief's Report

5.01 Chief's Report

Chief Murad had a presentation to present, posted to Board Docs, because of technology couldn't be shared on screen during the meeting.

John King retired w/ 56 years of service.

Chief Murad stated that the Department is working on photographs of every officer, which can be shared publicly and put on the website.

Long discussion with the Howard Center regarding EEs, when the person is exhibiting harmful behavior to themselves or others with mental health episodes



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The Department met with Burlington School District on what the Dept will do in the absence of SROs.

Conditional offers to all 3 CSL positions from pilot project. Chief Murad expressed his desire for up to 6.

There are 4 CSOs in various stages of hire.

Chief Murad noted the large initiative that was approved by City Council for retention and recruitment incentives, and expressed his gratitude for this approval, because of the tough spot the department is in for officers.

The Department is down to 68 effective sworn officers. Of that, there are 2 officers on long-term military leave, and 1 long-term medical leave. Which leaves the department with 65 deployable officers; which includes the BIA officers that are not available for patrol duties.

Incident volume has picked up over the last few months, but is down from previous years.

Mental Health issue is up drastically.

For full report on current numbers, please see the presentation attached in Board Docs.

6. Presentations

6.01 Discussion on Police Mental Health - Sonny Provetto

Going into the 11th years of the CARES program, which stands for Careers, Assistance, Resources, Education and Support to the members of the Burlington Police Department.

Sonny commended Chief Murad for his work in trying to keep the morale up within the Department.

From a mental health perspective, how do we provide services to an organization that is really, really struggling?

The profession is filled with a large stigma of asking for help. You must look at Organizational Psychology - research says that says when Officers have a poor perception of support, it does affect their ability to be engaged with the community, their overall well-being, and their ability to feel valued by their Department. Sonny stated it also impacts their ability to find satisfaction in their job. Research also shows that Officers are affected with PTSD rate three times the general public at 35% and three times as many police officers every year take their own lives than who die at the hands of felons. Sonny stated that Deputy Chief Labrecque and himself helped an officer at BPD who was going to take his own life.

Sonny stated that officers are not seeking help because they do not have the capacity to unpack the stress and trauma of the job, and put themselves back together to do the job.

Officers are also feeling betrayal trauma.



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7. Commission Actions

7.01 Mental Health Summit Resolution

Detective Corporal Byrne spoke on his experience and that of the force. He expressed his frustration that the law enforcement profession is now being tasked with being a first responder to mental health crisis. The medical professionals that can clinically and legally write Emergency Medical Evaluations have Masters level education, but it is now being seen as appropriate that police officers that respond are expected to do that job with the same standard. Another frustration is where mental health and the justice system start to interact with each other. Detective Byrne noted that the Resolution that was drafted hits a lot of the points. He noted a frustration that those mentally ill that commit crimes and are not legal competent to stand trial are released to the Dept. of Mental Health and in their orders, the individual is responsible for their own care, their own schedule, taking their medications, etc. But Detective Byrne noted that those two do not align. Not responsible enough to be held responsible for criminal acts, but responsible enough to care for their own medication and well-being. He stated that law enforcement should not be the first responders to mental health crisis. It is not fair to law enforcement, but more importantly not fair to the person in that crisis.

Kevin Garrison expressed his thanks for speaking and providing input on the Resolution.

Melo Grant asked if officers are aware of CAHOOTS model? And do they support that?
Somewhat aware of this.

Jabulani Gamache noted his support of the Mental Health Summit Resolution.

Suzy Comerford read the Mental Health Summit Resolution aloud.

Shireen Hart asked if the Police Department or other organizations in the community have had a chance to look at it? and/or provide input?

Chief Murad noted he had provided some feedback on the Resolutions.

Amend the resolution to include the missing organization.

City Attorney provided information that in order for City Council take action and move this forward, that the Commission would need a sponsor from council to bring forward. The Commission can also submit it as a communication to City Council (without a sponsor), however this way doesn't require them to take action on the item.

Motion made by Shireen Hart, seconded by Jabulani Gamache, draft that was included with the agenda be approved, with the one addition of adding the Center for Responder Wellness organization.

Final Resolution: motion passes unanimously

Motion made by Shireen Hart, seconded by Jabulani Gamache, move that we communicate this as adopted to the City Council and to the Mayor and that the Commission seek a sponsor from the Public Safety Committee to bring forth a Resolution to City Council.

Final Resolution: motion passes unanimously



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7.02 Staff Person for BPC

Several months ago Council Hightower, back in June, for the Commission to have a staff person. Which was included in the FY22 budget process.

Chair Gamache suggested the Commission get together job requirements needed.

Vice Chair Hart raised the request for clarification on exactly what the position is. Was it approved for data analysis? Or what was it approved for to help guide the Commission on where to go with requirements.

Minutes, tracking complaints, organizing the agenda - getting it out to NPAs, keeping track of work plan, social media duties. Creating separate website and maintaining it. Scheduling meetings.

Speak with Shannon about what the back end duties entail.

7.03 Meeting Places Update

Commissioner Grant requested this item be tabled, because locations are being cautious because of health events. Expressed her request to make sure the meetings can be Hybrid.

7.04 Commission Email Communications

Commissioner Comerford requested the following questions be thought of for response.

Does the Commission have a policy on speaking to the media. If so, what is it and how does it work?

Vice Chair Hart stated she wasn't aware of any policy. Chair Gamache stated as Chair he has no objection of any Commissioners speaking to the media. He did ask that it be stated that the comments be understood as not a part of the entire Commission, that they are your personal thoughts on this.

Commissioner Grant stated there needs to be a Police Commission handbook. Even rules of public meetings be included.

How does the Commission - joint public decisions that need to be recorded to the media. How does the Commissioners know that it's made such a decision? Is it recorded some place and available to the public?

Is there a policy and procedure on who speaks for the Commission and when? Asked because when individual Commissioners respond to the press, where they speaking for the Commission or themselves and does the media record it?

After making policies, is it recorded and provided somewhere so that new Commissioners can continue policy and practices in this area?

What are email communication policies?

Provide thoughts to these questions for the next meeting, so that it can be policy / handbook.

Chair Gamache stated that he would be willing to put something together for the Commission to look at and Commissioners provide their individual feedback on, to discuss next month.

Commissioner Garrison suggested that if the Commission does want someone to speak on behalf of the entire Commission, that perhaps the Staff Person can be that media relations person as well.



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City Attorney offered Point of Information stating she is happy to provide insight and thought this might be an item for Executive Session to provide legal advise on at the next meeting.

8. Use of Force Incident Reporting

8.01 Use of Force Incident Report August 2021

Are there ways that can help bring the Use of Force numbers down? Chair Gamache requested ways or a strategy to reduce use of force or identifying patterns of bias.

Chief Murad responded stating that every use of force is reported to the commission, the incident details are provided to the Commission and are posted publicly. That the Commission has the ability to review detail on every one, but has never identified patterns based on the use of force detailed summary of incident that it has asked the Department to look into. The Chief stated that he is working on posting for a redaction specialist, and hopes to release footage from all use of force incidents publicly once that person is hired and asked that if the Commission does find incidents they would like looked into for bias, etc, that the Department be asked to do so. The Department is also looking at ways to keep the officer autotomized but be able to identify if there are patterns of force from officers. Deputy Chief Sullivan just completed an audit and review of all 2020 use of force incidents. There are multiple levels of review for use of force incidents, where several people review the incident and flag any questionable or inappropriate uses of force. Chief Murad stated that is the strategy, in the granular review of all incidents within the Department and by the Police Commission.

Patterns by officers or shifts.

Question by Chair Gamache with regard to item 10, that involved UVM PD.

Deputy Chief Labrecque stated that UVM's response was because that building is a UVM building, report of an alarm going off. Intoxicated male kept approaching UVM while they were investigating alarm situation. The male kept leaving and coming back. BAC of the male was .203

9. Commendations

9.01 Commendations that have been received for July & August 2021

Vice Chair Hart read the commendations received.

10. Commissioner Updates / Comments





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10.01 Commissioner Updates / Comments

Vice Chair Hart stated City Council expected CNA report will be released on Friday.

Commissioner Herjok returns and glad to have him back.

11. Other Business

Next Meeting Agenda Items:

Policy Items - which items should be focused on?

Brian Core is scheduled to speak on Trauma Informed

NACOLE policies

Light draft of communication protocols

request Presentation from Department on increase on drug activity. Public presentation of who detective are, best way to report activity, type of information needed from people.

12. Adjournment

12.01 Motion to Adjourn

Motion made by Suzy Comerford, seconded by Shireen Hart, to adjourn the meeting.

Final Resolution: motion passes unanimously

Meeting is adjourned at 8:37pm