



CITY COUNCIL PUBLIC SAFETY COMMITTEE *IN-PERSON and
REMOTE*** - Thursday, September 2, 2021 at 6:00 pm.
9/2/2021**

Public Safety Committee Meeting

Thursday, September 2, 2021

Location: Room 102, City Hall

FINAL MINUTES

Members Present: Councilor Paul (Chair), Councilor Hightower, Councilor Stromberg

Staff Present: Jared Pellerin, Assistant City Attorney

Hayley McClenahan, Assistant City Attorney

Steven Locke, Chief – Burlington Fire Department

Derek Libby, Deputy Chief – Burlington Fire Department

Ben O'Brien – Burlington Fire Department

Kyle Blake – Burlington Fire Department

Others in Attendance: Dr. Michael Sheeser

Stephanie Seguino – Burlington Police Commissioner

Meeting called to order at 6:17 PM

1. Agenda

1.01 Motion to adopt/amend agenda

Motion to adopt agenda as amended, with request to discuss Agenda item 4.02 before 4.01.

Motion by Councilor Hightower Seconded by Councilor Stromberg

Final Resolution: Motion Passes



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Yes: Unanimous – Paul, Hightower, Stromberg

No: (N/A)

1. Public Forum

2.01 Public Forum

Councilor Paul opened the public forum at 6:22pm. No one from the public choose to speak during the forum.

Closed public forum at 6:24pm.

1. Minutes

3.01 Approval of Minutes of 7/1/21

Motion to approve minutes for the July 1, 2021 meeting of the Public Safety Committee.

Motion by Councilor Stromberg Seconded by Councilor Hightower.

Final Resolution: Motion Passes

Yes: Unanimous/ Councilor Paul, Councilor Stromberg, Councilor Hightower

No: (N/A)

1. Committee Discussion/Possible Action

4.02 Fire Department to Keep Race Data on whom they administer Ketamine to.

Chief Locke discussed mandatory reporting of ketamine use by the Burlington Fire Department (BFD) and how historically, race data was not a category required by the State of Vermont in the mandatory reporting requirement. Upon request of the Police Commission, the BFD was asked to begin to collect that data and Chief Locke found that to be important and agreed to immediately begin documenting race data related to ketamine distribution. Chief Locke then told the Committee



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that he brought to the attention of the State, the lack of a requirement to capture race data in such instance and the State agreed that it was important, so they began the process to mandate the requirement of collecting race data across the state. This requirement will go into effect on September 6th, 2021 at midnight.

Chair Paul asked if Chief Locke needed any further support from the Committee or Council in getting this requirement implemented and he thanked her, but felt the State's swift action was all that was needed.

Police Commissioner Seguino asked a question of Dr. Michael Sheeser, who was present to answer questions about ketamine, in that she wished to hear more about what ketamine is used for in the medical sense. Dr. Sheeser elaborated that ketamine is used as an opioid alternative for pain management, as well as for the de-escalation of patients who are experiencing agitation for numerous reasons. Dr. Sheeser spoke to the fact that ketamine is regularly used on pediatric patients.

Chief Locke pointed out that the use of ketamine by BFD is more rare than it is common. He pointed out that the Department has only administered ketamine 84 times since 2016, which is the year in which ketamine use became protocol for pain control and to facilitate restraint in specific instances.

4.01 Continued Discussion of Police Oversight Resolution

The Public Safety Committee members discussed the police oversight resolution that they had been working on during their previous meeting on July 1, 2021. The Committee revisited their previous edits and discussed the inclusion of the changes and were happy with where the language stood at that point. There were a number of issues still to be addressed:

The Committee discussed the dates upon which they hoped an ordinance would be presented for a first read. They agreed that the beginning of November was acceptable seeing that they hoped the resolution would be adopted by the full Council on the 27th of September and that would give a month's time to get the ordinance put together in conjunction with the City Attorney's office.

Assistant City Attorney, Jared Pellerin, spoke to the Committee about the possible legal hurdles that exist with what is being sought around interviews of BPD employees and how the BPOA contract specifically outlines how an officer is to be interviewed if there is any chance that the interview could result in discipline.

The Committee worked to add language around the Commission's wish to be able to speak about citizen complaints where appropriate in an effort to educate and inform the public. Commissioner Seguino pointed out that this is more in line with



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the State oversight board and wished to mirror their model.

The Committee recognized the challenges with engaging with the Vermont Human Rights Commission due to their jurisdiction being prescribed in state law. The Committee still wished to see a third independent body being involved in the dispute resolution between BPD and the Commission, so the members of the Committee said they would continue to work on identifying a group who could fill this role.

Chair Paul made necessary edits to the draft resolution and was going to share them with Assistant City Attorney Pellerin, so they could be finalized and returned.

4.03 Additional Funding for Staff for the Police Commission

Commissioner Seguino had asked that the Committee consider expanding the budget for staffing purposes in wishing to see the Commission having staff to facilitate their work. Councilor Hightower pointed out that in the FY22 budget there had been a staff position created for the Commission and Commissioner Seguino asked that they formally inform the Commission of this so they could get to work on the hiring process.

4.04 Discussion on Restorative Justice for Police Officers with the Public

The Committee discussed restorative justice for community members when there was an instance of mistreatment by a member of the Police Department. Commissioner Seguino asked that the Committee consider how BPD can do better to ensure that all community members are treated with justice. Commissioner Seguino wished for the Committee to consider if there was anything else that could be done by officers to restore faith, outside of simply being disciplined for a misstep? Would an apology be appropriate in some instances? A restorative session? Commissioner Seguino expressed that the Commission had worries about how the legal liabilities that may arise prevent restorative justice from occurring more frequently. Chair Paul agreed that Officers could be encouraged to take a restorative justice approach in more instances.

1. Any Other Business

1. Next meeting TBD.
2. **Adjournment**

Motion to Adjourn by Councilor Hightower Seconded by Councilor Stromberg



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Yes: Unanimous/Councilor Paul, Councilor Hightower, Councilor Stromberg

The meeting was adjourned at 7:36pm.