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Michele Asch, Chair
Board of Police Commissioners

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MEETING OF THE BOARD OF POLICE COMMISSIONERS
BURLINGTON POLICE DEPARTMENT, COMMUNITY ROOM, ONE NORTH AVENUE
June 4th, 2019, 6:00 PM

PENDING

AGENDA

1. Additions or Modifications to Agenda
2. Public Forum
3. Chief's Report
4. Update on Proposed Task Force regarding Use of Force
5. Arraignment Data
6. Update on Role of Commission: Citizen Complaints
7. Commissioners' Updates/Comments
8. Consent Agenda – Minutes of Previous Commission Meeting
9. Next Meeting's Agenda Items
 - Next meetings scheduled for June 25th, July 23rd, August 27th
10. Executive Session (as needed)
11. Adjournment

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BOARD OF POLICE COMMISSIONERS
MINUTES OF MEETING
TUESDAY, June 4th, 2019
Approved

A meeting of the Board of Police Commissioners was held in the Burlington Police Department Community Room on Tuesday, June 4th, 2019. Chair Michele Asch called the meeting to order at 6:06 PM.

The following Commissioners were present: Chair Michele Asch, Vice Chair Shireen Hart, Commissioner Robert Simpson, Commissioner Randall Harp, Commissioner Peter Bahrenburg, Commissioner Nyree Miles, Commissioner Jim Dunn and youth Commissioner Landen Nipper. Also present: Chief del Pozo, Deputy Chief Jon Murad, Lieutenant Lawson, Corporal Kratochvil, Data Analyst Nancy Stetson and Police Commission Clerk Laura Cheney.

Additions or Modifications to Agenda:

~None

Public Forum:

~Annie M asked if the department plans to cap staffing and transition officers to social workers.

~Deirdre spoke about police shootings and inquired if there are guidelines for relaying footage to the public.

~Brian C wanted to know if officers should have used verbal commands in the incidents in the recent release of footage.

~Lauren K remarked that the public is asking police to hold officers accountable for their crimes. She asked why body cam footage was posted to the YouTube channel and promptly taken down.

~Brian W noted that people in the community are angry and asked why officers were present at the recent Black Lives Matter event several weeks ago.

~Anne G attended the meeting to understand how the commission works, and how decisions were made regarding the officers use of force in recently released footage.

~Keena T shared that as a biracial Vermonter, she has never feared the police. The recent footage did not match her sense of police in Vermont. She was disturbed that City Councilors had not viewed the footage. She sees a complete lack of empathy for the victims.

~Mark H with Justice for All spoke about the recent event on the city bus. He noted the response has all been distraction from the crime committed. He pushed for law enforcement to respond by prosecuting the crime involved.

~Yuol H asked how the commission could watch the recently released footage and say that was ok.

~Jennifer D pushed for a shift from police brutality to police accountability. She asked if the department could hire officers who have experience and training in mental health.

Commissioners Response:

~Chair Asch remarked that the commission spent hours reviewing the footage and no one should think it wasn't taken seriously or that it was ok. We followed a process with integrity with a goal of not allowing this to happen again.

~Vice Chair Hart noted the struggle to figure out how much information can be shared with respect to HR and personnel policies. We strive to be as transparent as possible.

~Commissioner Dunn remarked that we were charged by city Council to act as oversight of the department. We are evolving in how we address this task. We offer advice before any discipline is issued. We are trying to do the right thing and make the best decision we can to advise on discipline decisions.

~Commissioner Harp noted that it may be helpful to share more about the review process. Ideally, officers would have both de-escalation training and mental health training. The goal is that a scenario is resolved without any use of force.

~Vice Chair Hart extended her availability for anyone interested in understanding the process by which decisions are made in regard to discipline.

Chief's Report & Response to Public Forum Inquiries:

~Chief del Pozo noted that every police officer is issued a body camera and is expected to activate it during any interaction with the public. It does capture 30 seconds prior. Officers cannot edit or delete. It is turned over to prosecutors and defense attorneys.

~There is a requirement to use verbal commands. This was the basis for discipline of the officers involved.

~As for the chilling effect of officers at protests, we take seriously the need to protect protesters.

~In terms of prosecution of the incident on the city bus, we will always tackle difficult issues, including hate crimes. It is a joint decision with the SA.

~We definitely want to hire officers who have a background in crisis intervention and mental health.

~I'm not satisfied with the timeline of the release of the recent footage. We had many sessions discussing the need to release it and the need to account for them. We hope the task force will help to determine how this should be handled going forward.

~Regarding the footage that was put up and taken down, that was the result of a clerical error. It was being prepared to be released to the family.

~We have 5 diverse graduates from the VPA: two women, one Asian, and one Hispanic.

~We will soon be releasing Use of Force and Car Stop Race Data.

~There were two homicides decided upon today, and all charges were dismissed. The Defense Attorneys pleaded insanity. The SA believes the cases cannot be made in court.

Update on Task Force Regarding Use of Force & Policing

~Chair Asch noted that she will need to appoint two individuals to join the task force. Commissioner Harp and Commissioner Dunn both volunteered to serve. They will advise the commission on agenda items and provide updates.

Arraignment Data

View [Report](#)

Update of Role of Commission Involving Officer Complaints:

~Vice Chair Hart noted that we won't be making any changes to the document, which was previously approved.

Commissioners' Updates/Comments:

~Commissioner Harp inquired whether City Councilors could be apprised more quickly on disciplinary actions.

~Chief del Pozo would like to offer insight more quickly, but must always consider privacy and personnel issues. A means by which to apprise the council should be addressed by the task force. He noted the Commission was appointed by the City Council, and entrusted to work with the department on these issues.

~Chair Asch noted that we can have the best Use of Force Policy, but officers are human and we need to provide them the tools and training that will provide the best outcomes. We don't want fear of discipline to guide an officer, but ongoing training and support.

~Chief del Pozo noted the officers turned on their body cam, attended to the incident, and turned over the footage. There was no tampering and it was distributed to those who would hold the officers accountable.

~Commissioner Dunn noted that while the task force is being formed and completing the work, we need to keep councilors informed.

Consent Minutes of Previous Commission Meetings: April 22nd Minutes

~Commission Dunn motioned to accept, Vice Chair Hart seconded, all Commissioners voted in favor, minutes approved.

Next Meeting's Agenda Items and Date:

~June 25th next meeting - **RESCHEDULED TO JULY 2nd**

~Social Media Policy

~Annual Report – speak to the decrease in domestic violence; increase in aggravated assault

Executive Session:

~Convened to discuss a response to an incident.

Adjournment:

~ Commissioner Harp motioned to adjourn for executive session, Commissioner Bahrenburg seconded. Adjourned at 8:05 PM. Executive Session adjourned at 10:15pm.

Respectfully Submitted,

Laura Cheney
Executive Assistant to the Chief of Police
Clerk of the Police Commission

6/4/2019