



# **Police Commission Meeting \*\*VIRTUAL\*\* Tuesday, May 25, 2021 @ 6:00 pm 5/25/2021**

**Police Commission Meeting \*\*VIRTUAL\*\* Tuesday, May 25, 2021 @ 6:00 pm (Tuesday, May 25, 2021)**

*Generated by Shannon Trammell on Friday, May 28, 2021*

*PRELIMINARY MINUTES - CONSIDERED DRAFT UNTIL APPROVED AT NEXT REGULARLY SCHEDULED MEETING.*

## **Members present**

Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino

## **Other present**

Shannon Trammell, Jon Murad, Matthew Sullivan, Wade Labrecque

## **Counsel present**

Eileen Blackwood, Jared Pellerin

## **Meeting called to order at 6:03 PM**

### **1. Agenda**

1.01 Call to Order

6:03pm

1.02 Roll Call and Determination of Quorum

Quorum met.

1.03 Additions or Modifications to Agenda

Table item 5.03 until later date

Motion by Jabulani Gamache, second by Stephanie Seguino.

Final Resolution: Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino

Eileen Blackwood to introduce new City Attorney.

Motion by Jabulani Gamache, second by Stephanie Seguino.

Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino



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## **@ 6:00 pm**

## **5/25/2021**

Expand on City Council rederict as item 5.03

Motion by Melo Grant, second by Stephanie Seguino.

Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino

Adopt amended agenda

Final Resolution: Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino

### **2. Commission Actions**

2.01 Approve the Minutes from 4/28/2021

Approve the minutes from 4/28/2021 as posted

Motion by Randall Harp, second by Jabulani Gamache.

Final Resolution: Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino

Not Present at Vote: Yuol Herjok Yuol

### **3. Public Forum**

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

The Commission heard from the following members of the public:

Mary Cox spoke to the Commission regarding her, her son, and her son's friend experiences with BPD and their response to mental health crisis. Pathways VT, with other nonprofit organization with centers around the state, but were not granted funding for anything. She asked that a subcommittee be formed to address:

1. what further training would be useful to BPD officers w/ mental health context?
2. examine what infrastructure, including mental health workers aside from using the ED, would be useful?

Suggest sub-committee include people with lived experience. Without increase in infrastructure (training personnel and mental health care infrastructure) Burlington will continue to experience the same problems it does now.

Caryn Long - spoke to the street parties, and large groups of people 400+. Inquiring what is going to be done about these?

3.02 Eileen Blackwood Introduces New Assistant City Attorney

Attorney Blackwood, introduced Jared Pellerin - Assistant City Attorney assigned to work with Police Department & Police



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Commission.

## 4. Chief's Report

### 4.01 Chief's Report

Activities over the past month have been very busy.

Announced Priority Response Plan that started at the beginning of the tour on May 2nd. First used on May 19th, as calls for service increased with diminished officer headcount.

## 5. Commission Actions

### 5.01 Discussion on Beard Request - Department Directive DD02.02

Chief Murad expressed his unfavorable support for this request citing mask

Seguino, Gamache, Grant supportive of the change citing morale and the fact that these changes in other large city police departments

that BPD adopt the revised Directive DD02.02 to allow beards.  
insert the word OF to last sentence.

Motion by Randall Harp, second by Jabulani Gamache.

Final Resolution: Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Stephanie Seguino

Abstain: Shireen Hart

### 5.02 NACOLE Training Information

1st Session - Thursday, May 27th at 5:30pm.

Remaining sessions:

June 10th, June 15th, and June 17th.

### 5.03 Amended Agenda Item - City Council Rederict

Commissioner Grant expressed concern around the rederict that blames the City Council for certain decisions that have been made and "creating a crisis." She stated she feels it is a false narrative and does not advance any type of healing. Commissioner Grant would like to remind everyone that the City Councilors are individuals who step up in their community, who want to perform a public service, and that their views and votes reflect the needs and wants of their community.

### 5.04 Update Role of Police Commission

\*postponed until after the NACOLE training.



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5.05 Data Report from Innovation & Technology Department

Information & Technology Department spoke to their Annual Data Report and took questions from the Commissioners.

Disparity Index.

Decline in traffic stops - was it consistent with maintaining public safety? There was a 37% decline in traffic crashes from 2019 to 2020, which is inline with the traffic stops.

Table, Page 25. Severity of Charges by Race, under Arrest Data. The percentage is relative to the particular race, not of all arrests. Suggestion: include a column on the right that adds up to 100%. Suggestion: Include Hispanic as a group.

Page that discusses mental health incidents: trends - Page 8. Mental Health Incidents up 18% questioned if this was a typo? Elsewhere in report, indicated a much higher rate.

Direct referrals to Alternative Justice - what kind of discretionary judgement do officers have in referring to AJ? What conditions are that done?

Starting last year, due to COVID and working with SA numerous misdemeanor charges, anything that wasn't a felony, was referred immediately to AJ program - for both juveniles and adults. Deputy Chief directed any low level misdemeanor crime should go to AJ first, officers do not have discretion in making the decision.

Data sets impacted by interpretation of certain terminology. Guidance might be needed for how the IT Department reports for certain things like, firearms drawn and firearms pointed.

Commissioner Grant requested Use of Force Incidents by Officer(s) be provided to the Commission. (Perhaps for review in Executive Session). Chief Murad stated he would consider it, and would need to speak with City Attorney about it. Commissioner Grant would like to be a part of that conversation.

DLS (criminal vs civil) was discussed, and stated that civil suspensions are not always driven by financial situations. Criminal DLS can be plead down to a civil suspension.

As a community, what is at the root of some of these, behavior. Officers are addressing the behavior in front of them at the time. He also stated that we do want to examine where the Police Department can play a role in stopping this kind of behavior.

Specific plan to combat mindset of the department that black persons commit more and more dangerous, when the data does not show that.

Chief Murad commented that the Commission has the ability to, and in many cases has, reviewed several individual incidents; and brought no claim or attention to any bias or disparities in each individual incident they have reviewed, and is taken back by claiming such when viewing the entirety of the year. He has asked for feedback from the Commission on which incidents they have seen over the past year, which incidents have been flagged for the Commission that have not indicated proper uses of force, or examples of incidents that should have been handled differently. While there is claim to the disparity in the final results, it has not been seen in the initiation of the act.

Addressing systematic issues.

Discussion of search warrants, and why firearms are pointed and counted as a use of force incident.





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Are the policies driving disparity problems, and can these policies be revised?

### 5.06 Strategic Plan from BPD to address Downtown Bar Closings

The Chief shared some ideas the Command Staff brainstormed, but stated that there is not enough staffing to accommodate these types of efforts and suggested other agencies take an interest in helping reduce incidents at bar closing.

## **6. Use of Force Incident Reporting**

### 6.01 Use of Force Incident Report April 2020

Acting Deputy Chief Wade Labrecque read Use of Force Incidents for April 2020.

## **7. Commendations**

### 7.01 Commendations that have been received

Commissioner Clerk read Commendations that had been received in the previous month.

## **8. Commissioner Updates / Comments**

### 8.01 Commissioner Updates / Comments

Commissioner Harp's last meeting.

What is it that we're asking officers to do? What is the mission / scope of policing? What tools officers are given to complete that mission? How are officers trained to use those tools? Aspects of training at VT police academy. Juggle correct use of discretion and use of tools they are given. All of these things need to be looked at and may be bigger issues that just being resolved by BPD.

Commissioner Hart wanted to make sure the Commission and Command staff continues dealing with and addressing all complaints.

## **9. Other Business**

## **10. Executive Session**

### 10.01 Executive Session (as required)

Enter executive session to discuss citizen complaints and officer discipline.

Motion by Jabulani Gamache, second by Stephanie Seguino.

Final Resolution: Motion Passes

Aye: Jabulani Gamache, Melo Grant, Randall Harp, Shireen Hart, Stephanie Seguino



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**11. Adjournment**

11.01 Motion to Adjourn

12. Informational and Non-Discrimination Statements