



Police Commission Meeting - Tuesday, February 28, 2023 @ 6:00 pm. **Hybrid Meeting: In-Person & Virtual**** via ZOOM 2/28/2023**

Draft

Tuesday, February 28, 2023

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Commissioners present:

Stephanie Seguino, Melo Grant, Suzy Comerford, Jack Keefe, Kevin Garrison, Shakuntala Rao & jessica oski.

Also Present:

Council president Karen Paul, city councilor Joe Magee, Scarlet Neath, Charlotte Resing, Zoe Portlas, Shannon Trammell, and Mohamed S. Ibrahim

1. Agenda

1.01 Call to order

Meeting started at 6:10

1.02 Roll call and determination of quorum

Meeting has a quorum

1.03 Motion to amend/adopt the agenda

Motion moved by commissioner Keefe to adopt the agenda

Motion seconded by commissioner Comerford

Agenda passes unanimously

2. Minutes

2.01 Approve minutes from Police Commission Special meeting, January 31, 2023 (5 min)

Motion moved by commissioner Comerford

Seconded by Commissioner Garrison

Commissioner Oski abstains

Minutes approved.



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2.02 Approve minutes from Police Commission meeting, December 20, 2022 (5 min)

Motion by commissioner Keefe

Seconded by commissioner Comerford

Commissioner Oski abstains

Minutes approved.

Co-Chair Seguino welcomes new commissioner, Commissioner Oski.

3. Public Forum

3.01 The public is invited to address the Commission

1- Speaker Romeo Von Hermann, works for Green Mountain Transit as the stations and customer services supervisor, speaker expressed their dissatisfaction after they had to call BPD to help with an issue occurred while they were on duty hours. Police commission discussed the complaint with the speaker and explained what are the next steps to process this complaint.

2- Speaker Deb Bouton, the speaker asked why Police Commission hasn't done more publicity about its role and work. Also, the speaker expressed their dissatisfaction after interaction with BPD after they had to call the department to report what they believed that someone was trying to steal a bike.

4. Chief's Report

4.01 Chief's report (10 min)

Attachments

20230222 Chief's Report to Police Commission.pdf

Acting Chief isn't available for this meeting.

Co-Chair Seguino pointed out the highlights of the report, there are now 65 officers up from 61 a couple of months ago, number of community service Officers now up to six but they anticipate hiring 12 within the next several months, and with regard to community service Liaisons who do a lot of work with regard to mental health calls, there are now 4 and they're anticipating that to go up to 6. There's also some information with regard to incident volume, the data are just for the beginning months of the year to date, and what we see is that there is a slight increase, there's an increase from 2022 but overall the incidents are actually about 30 percent lower than they were in 2017, 2018, 2019 and even 2020.

Commissioner Grant commented on the incident volume for certain incidents like larceny, mental Health, overdose and stolen vehicles and linked those incidents to the drug crisis.

5. Commission business

5.01 Co-chair nomination and election (5 min)



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Co-Chair Seguino nominated Commissioner Shakuntala Rao for Co-Chair position

No other nominations

Motion made by Co-Chair Seguino

Seconded by Commissioner Garrison

Motion passes unanimously

Co-Chair Rao elected to be Co-Chair.

5.02 Introduction Zoe Portlas, City Data Analyst (5 min)

Co-Chair Seguino introduced Zoe Portlas, and explained how the commission each year receives a report from the city data analyst with regard to traffic stops, arrests and use of force, and overall policing matters, and it's a highly data driven report and Zoe is the new city data analyst that will be providing the commission with these data. The report will be coming out in May.

Followed with a brief introduction by Zoe Portals about her new role.

5.03 Establishment of format for reporting and reviewing complaints (10 min)

Co-Chair Seguino introduced this item saying: "One of the challenges that we've had is our work has grown and tracking complaints ends up being a very complex process, because there are many iterations in the process of reviewing complaints and reporting to the commission. Commissioner Keefe was generous enough to take this task on when he joined the commission, and I want to thank you for the document that you produced for us, that we got for this meeting which is exactly what I was hoping for"

The document lays out in one document including all of the complaints and the status of those complaints.

Commissioner Comfort commended commissioner Keefe and said "I find it very accessible and intuitive and helpful thank you"

Commissioner Rao said "yes, it's very helpful when we can have that summary especially that you prepared it well for all of us to review right before we make a discussion, so, thank you very much"

Commissioner Keefe and Co-Chair Seguino commended the commission clerk Mohamed Ibrahim for uploading and organizing all of the documents into the SharePoint site.

Commissioner Comerford asked a question about how secure is the SharePoint site is. And Co-Chair Seguino said, "it's actually very similar to the SharePoint at UVM, so it is secure and safe to use such software".

5.04 Policy review: DD43 Reporting of Corruption and other Misconduct (15 min)

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DD43 with track edits.

CNA Recommendations for Revising DD43.

Shannon Trammell attended from Burlington Police Department to comment on DD 43 Policy review.

DD 43 was among one of 150 recommendations to review by CNA

DD 43 is reporting on of corruption and other misconduct and its guidance for officers in terms of how they would report corruption or misconduct, the process has been that the policy revision in response to the CAN recommendations started with the Burlington Police Department and Shannon has been shepherding this

The commission has the obligation and authority to review policy changes and approve them or not to approve them.

Mrs. Trammell clarified that the updates were made by considering the CNA recommendations.

Updated needed approval from the command staff at the department and changes didn't require any input from the city attorney's office.

Mrs. Trammell answered the commission's questions.

5.05 Council President Karen Paul on next steps on civilian oversight (20 min., time certain: 645pm)

Attachments

Signed CC Resolution Police Oversight.pdf

Council president Paul thanked the Police Commission for the invitation and congratulated the newest member of the Police Commission, commissioner Oski.

Council precedent emphasized the support that the commission has from the council, saying, "We appointed you, and we are here to support the work that you do" "you deal with a lot of reviewing complaints, you deal with a lot of confidential material, I have never once had any reason to doubt that you take that with the utmost seriousness and high level of responsibility, and thank you for all that you do. It's an enormous amount of work"

City councilor and chair of the Public Safety Committee, Magee emphasized the support from the city council and commended the Police Commission on their efforts. And added that the commission might interface with any new civilian oversight body that might be stood up.

5.06 Presentation: Mental Health Emergency Response, Scarlet Neath and Charlotte Resing, Center for Policing Equity, Time Certain: 7:15 pm (30 min)

Attachments

CPE-Brief-MentalHealth.

CPE-WhitePaper-MentalHealth.

Commissioner Comerford introduced Scarlet Neath & Charlotte Resing to the commission.



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Presenters presented and shared a research project about Mental Health Emergency Response Recommendations, and the topics were discussed as follows:

Invest in Alternative Response Programs

1. Invest in and study community-based mental health first response models.
2. Use mental health co-response teams if a call cannot be diverted to community-based systems
3. Use dispatch to divert calls to alternative response programs and mental health service providers.

Regulate Police Response

1. Require police officers to call for assistance from a specialty mental health team when they encounter a person experiencing a mental health emergency
2. Officers should be trained on de-escalation and calming tactics for interacting with a person who is having a mental health emergency.
3. Pre-arrest diversion policies should identify criteria for presumptive or mandatory diversion in order to remove bias in discretionary diversion decisions.
4. Provide officers with names, contact information, and addresses for community-based mental health and social service resources
5. Prohibit the use of ketamine and other "chemical restraints" by first responders, except for use by emergency medical services when necessary for the patient's benefit due to a medical emergency.

Invest in Equitable Mental Health Care

1. Examine and address systemic racism in the practices of mental health professional organizations and providers
2. Increase access to and quality of services for mental health and co-occurring substance misuse through Medicaid.
3. Invest in free and low-cost mental health clinics in Black and Brown neighborhoods
4. Expand and enforce mental health parity requirements for insurance companies
5. Invest in mental health services and screening for young people.
6. Address barriers to virtual care and telehealth.
7. Expand and improve wraparound services for people with mental health conditions

Improve Data Collection and Transparency

1. Collect and analyze data on mental health calls for service.
2. Analyze outcomes of community-based response systems and diversion programs
3. Collect analyzable data on all police stops and uses of force.
4. Monitor capacity issues in community-based and hospital-based services for people with emergency mental health needs.
5. Police departments should sign data-sharing agreements with service providers to ensure proper transition of care, monitor effectiveness, and better serve people with mental health conditions.

5.07 Updates: Website, NDA agreement, policy reviews of DD13 and DD03 (10 min)

Updates were introduced and discussed by Co-Chair Rao, Commission Clerk Ibrahim & Shannon Trammell from Burlington police department before the Police Commission.

The Police Commission had got an opinion from its legal counsel that the commission's access to information should be different than what is for the public because the commission is a body appointed by the city council, and upon the advice



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of President Paul, PC reached out to the city attorneys to talk about developing a non-disclosure agreement to address any confidentiality issues, and the basic premise of this would be that the non-disclosure agreement would include unfettered access to any information the police department avails itself of in conducting investigations of complaint and use of force incidents. providing the information wouldn't violate state or federal law and any active court order, or violated an agreement between the state or federal law enforcement agency, and so that was the guidance the police commission gave to the City Attorney Jerry Pellerin he is working with Chief Murad to develop a draft.

Also, Police Commission working to retain videos of UOF for more than three days.

City attorneys McLennan and Pellerin gave legal advice to the police commissioner to be able to record executive sessions.

Commission clerk Ibrahim will start to record executive sessions, and recordings will be secured.

5.08 Use of force report/s (10 min)

Attachments

February 2023 UOF Report.

December 2022 UOF Report.

January 2023 UOF Report.

UOF incidents below, were requested by Police Commission to review:

December: incident number 6 commissioner Garrison, number 9 commissioner Keefe, number 13 commissioner Rao, number 3 commissioner Seguino & number 8 commissioner Comerford.

January: incident number 2 commissioner Oski.

February: Commissioner Grant incident 5, commissioner Garrison incident 9 & number 11 commissioner oski.

6. Commendations

6.01 Commendations that have been received from BPD

Commission's clerk Ibrahim read the commendations that commended community service officer Young and police officer Buer.

7. Commissioner Updates / Comments

7.01 Commissioner Updates / Comments (10 min)

None.

8. Anticipated Executive Session



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8.01 Anticipated Executive Session

Co-Chair Seguin moved motion to enter executive session pursuant to 1 VSA 313 A4 to discuss disciplinary actions against employees.

Motion seconded by commissioner Garrison

Motion passes unanimously

9. Adjournment

9.01 Motion to Adjourn

Motion to adjourn the meeting moved by co-chair Rao

Seconded by commissioner Comerford

Motion passes unanimously, Meeting adjourned 8:05 pm.