



Police Commission

Tuesday, January 23, 2024, 6:00 PM, Remote Only via Zoom

PLEASE NOTE:

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(646) 931-3860

Webinar ID:885 5108 5021

1. Agenda

1.1. Call to Order

1.2. Roll Call and Determination of Quorum

1.3. Additions or Modifications to Agenda

2. Public Forum

2.1. The public is invited to address the Commission

3. Chief's Report

3.1. Chief Murad to share his report for January 2024

***materials to be posted**

4. Commendations

4.1. Commendations received for the month of December 2023

5. Use of Force Reports

5.1. December 2023 Use of Force Report

6. Commission Business

6.1. Commissioners' Updates / Comments

7. Consent Agenda

Subject	7.1. Approve Minutes from Special Police Commission Meeting on December 20, 2023.
Meeting	January 23, 2024 - Police Commission Meeting - Tuesday, January 23, 2024, 6:00 PM, Remote Only via Zoom
Category	7. Consent Agenda
Department	Police Department
Type	Minutes Action

Recommended Action

Subject	7.2. Approve Minutes from the Regular Commission Meeting - December 26, 2023
Meeting	January 23, 2024 - Police Commission Meeting - Tuesday, January 23, 2024, 6:00 PM, Remote Only via Zoom
Category	7. Consent Agenda
Department	Police Department
Type	Minutes Action

Recommended Action

8. Executive Session (as needed)

Subject	8.1. Executive Session
Meeting	January 23, 2024 - Police Commission Meeting - Tuesday, January 23, 2024, 6:00 PM, Remote Only via Zoom
Category	8. Executive Session (as needed)
Department	
Type	
Recommended Action	

9. Adjournment

9.1. Motion to Adjourn

10. Informational and Non-Discrimination Statements

10.1. This agenda is available in alternative formats upon request. For more information on access, call Shannon Trammell at (802) 540-2107 or email: strammell@bpdvt.org. Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact at least 72 hours in advance so that proper arrangements can be made. This meeting will also air on Town Meeting TV. The City of Burlington will not tolerate unlawful harassment or discrimination on the basis of political or religious affiliation, race, color, national origin, place of birth, ancestry, age, sex,

sexual orientation, gender identity, marital status, veteran status, disability, HIV positive status, crime victim status or genetic information.

Trammell, Shannon

From: Mary Campbell
Sent: Thursday, December 28, 2023 13:46
To: Trammell, Shannon
Subject: Thank God for BPD

Hello Ms. Trammell,

Sorry if you are not the right person to which To address my comments. Please pass them along if you find them of any worth.

I am writing today to join the voices of praise for the Burlington Police Department. I can't think of a harder profession, nor a more needed one in our city. I'm shocked and angered at the appalling treatment any policeman gets while doing their job. And I believe each person who takes up this profession has an altruistic motivation to help their community. We throw a lot of trauma at these people. And in my mind our police force are superheroes.

Mary Campbell
A mere citizen of BTV

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USE of Force Report

December 01, 2023 – December 31, 2023

Please note definitions below when reading this report

- **General** - considering or including the main features or elements of something, and disregarding exceptions
- **“Stated to the effect”** is used throughout this report to show the general idea of what someone said instead of their actual words.
- **Synopsis** - a brief or general summary of something.

Total Number of Incidents for 12/01/23 – 12/31/23 – 2415 Incidents

Total Number of UOF Incidents - 25

Total Uses of Force – 47

Percent of UOF Incidents vs. Total Incidents – 1 %

Race/Gender of Arrestee/Subject in UOF Incidents

Black Male – 5

Black Female – 2

White Male – 11

White Female – 10

Incidents

1. 23BU028530

12/03/23

Complainant/Officers Dispatched

Call type – Assault

Charges – Aggravated Assault on a Police Officer/Simple Assault/Resisting Arrest

Synopsis

A CSO observed a female be assaulted by a second female and contacted dispatch. The CSO gave a description and direction of travel for the suspect to the first officer arriving on scene. The officer located the suspect and two other subjects nearby. As the officer attempted to question the suspect the two subjects interfered with the officer. A third friend of the suspect walked up from behind the officer also interfered with the officer. At one point grabbing hold of and pushing the officer to keep them away from the suspect. The officer used verbal commands and physical force to try to move the subject out of his reactionary gap. The first officer tried to take hold of the suspect but was blocked by the third subject. A second officer arrived on scene and began to give verbal commands stating to the effect for the subjects to backup. The two



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officers had to physical escort the third subject away from the suspect. The subject continued to struggle to free themselves from the officers hold and return to the suspect. A male friend was finally able to calm the female subject and the officer released their hold. The officers developed probable cause to arrest the suspect. An officer was placing handcuffs compliantly on the suspect, when the suspect dropped their weight and sat down. A second Officer had to assist with physically moving the suspect's hands behind their back and ultimately taking the second handcuff and placing it on the suspects other wrist. The first officer and the second handcuffing officer had to pick up the arrestee and physically place them into the cruiser. The arrestee used their legs to brace themselves to thwart the officers placing them into the back of the cruiser. During the struggle the arrestee raked the first officer's shin with her booted foot causing pain and injury. The two officers were able to finally get the arrestee into the rear of the cruiser.

Arrestees Actions – Active Resistance

Subjects Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls

Officer 2 – Verbal commands/empty hand controls

Officer 3 – Verbal commands/empty hand controls/handcuffing

Arrestee – taken into custody and lodged on refusing to identify

Black Female Age 40, 5'04", 125 lbs.

Subject – released

White Female Approximately: 30 years old, 5' 06", 130 lbs.

Arrestee – no injury

Subject – no injury

Officer – scrape and contusion to right shin from suspects boot

2. 23BU028546

12/3/23

Complainant/Officers Dispatched

Call type – Trespass

Charges – Unlawful Trespass

Synopsis

UVMC security staff called asking for assistance with male subject refusing to leave the ED and was being aggressive and assaultive towards them. Two officers arrived on scene. They located the male who had an active trespass notice for UVMC. The officers stated to the effect for the male to stand up. The male clenched his fist and drew it back as if to strike. The



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two officers both took hold of one of the male's arms. The male actively resisted attempting to pull away. The officers then stood him up and physically moved his arms behind his back and placed him into handcuffs. The arrestee was then transported to BPD for processing.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls/handcuffing

Officer 2 – Empty hand controls

Arrestee – taken into custody. Processed and released on citation
White Male Age 62, 5'09", 230 lbs.

Arrestee – no injury

Officers – no injury

3. 23BU028680

12/04/23

Complainant/Officers Dispatched

Call type – Agency Assist

Charges – None

Synopsis

First Call asked for assistance executing an emergency evaluation warrant for a female subject. On scene the female's brother, friend and BFD all attempted to speak with the subject and the officer waited outside. After some time BFD personnel waived the officers inside as the subject had begun to act erratically. An officer attempted to speak with the subject stating to the effect that they were there to help. The friend again tried to reason with the subject but was not successful. The subject then attempted to open a window and climb out. The officer both took hold of the subject's arms to prevent this. An officer stated to the effect that she was safe, they were there to help and that they had a mental health warrant signed by a doctor. The subject actively resisted, pulling away, tensing up, yelling and screaming. Officer had to use physical force to place the subject against a wall and then physically place the subject's hands behind their back and into handcuffs. Once in handcuffs the subject was escorted out to the ambulance and transported to UVMHC.

Subject Actions – Active resistance

Officer Actions

Officer 1 – Verbal direction/empty hand controls/handcuffing

Officer 2 – Verbal direction/empty hand controls



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Subject – taken into protective custody on EE warrant
White Female Age 22, 5’05”, 125 lbs.

Subject – no injury
Officer – no injury

4. 23BU028848

12/6/23

Complainant/Officers Dispatched

Call type – Simple Assault

Charges – Simple Assault/Unlawful Trespass

Synopsis

A supervisor called from the GMT bus station and stated to the effect that a female who had been trespassed was there and refusing to leave. A short time later the same caller stated that the female was now threatening staff with a knife. The first officer on scene was able to use a low level of physical force to secure the female suspects hands behind their back, due to the possibility of a knife, until a second officer arrived. The second officer had to physically secure the suspects other arm. The suspect began to pull away, move their arms and yell at the officers. The suspect was secured in handcuffs and the first officer attempted to search the suspect for the knife. During the whole time the suspect continued to struggle. The officers escorted the female to a cruiser and leaned them against it to try and facilitate finishing the search. A third officer had place their hand on the back of the suspect as they continued to push back off the cruiser. Once the search was concluded the suspect placed into the cruiser. While being transported the arrestee began to kick the partition forceful, the officer state to the effect for them to stop kicking the partition or they would be sprayed with OC. The arrestee did not comply and continued to forcefully strike the partition. The officer stopped the cruiser and deployed their OC. The arrestee then stopped kicking the partition. The arrestee was decontaminated and BFD evaluated and cleared them.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/Empty hand controls/handcuffing

Officer 2 – Empty hand controls/OC warned/OC deployed

Officer 3 – Empty hand controls

Arrestee – taken into custody transported to PD, lodged on bail at corrections
Black Female Age 30, 5’03”, 130 lbs.



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Arrestee – no injury

Officer – no injury

5. 23BU029114/23BU029120

12/10/23

Complainant/Officers Dispatched

Call type – Attempted Suicide

Charges – Arrest on Warrant/Simple Assault on a Protected Professional

Synopsis

Caller stated to the effect that they received a video message from a friend with a rope around his neck, hanging up then calling back on video and stating they ingested 2 bottles of acetaminophen, advising they wanted to end their life and commit suicide by cop. Dispatch was also advised the subject had knives. While on route officers had mental health workers responded as well as BFD. Officers also learned that the subject had an active arrest warrant. Officer arrived and made contact with the subject, who quickly closed the door to their apartment in the officer's face. Negotiating through the door the officer was able to convince the subject to let BFD in to evaluate them and BPD would remain outside the door. BFD was able to evaluate the subject and talk them into going up to the hospital. As the subject walked towards the elevators with BFD they observed another officer standing there. The subject then turned and ran back towards their apartment. The officer who had been at the door remained there and observed the subject running back towards them. The officer, wanting to prevent a barricade situation, the officer took hold of the subject's left arm and right arm and was able to bring the subject to the floor in a controlled manner. A second officer assisted the first officer by moving the subject's right hand behind their back while the first officer brought the subject's left hand. The subject was then handcuffed. The subject was transported up to the UVMHC ED by BFD with two officers riding in the ambulance. Once in the ED the subject was handcuffed in front to allow medical personnel to work on them. Officers observed the subject attempted several times to try to pull off the handcuffs. After approximately two hours the subject stood up and walked towards an ED staff member. The two officers and one ED staff member had to physically move the subject back to the bed. As the subject laid down on the bed they kicked the ED staff member in the stomach. The subject began to threaten violence on the officers and staff of the ED. The ED staff decided to place the subject in restraints. Both officers had to physically hold the thrashing legs of the subject down to assist the staff in placing him in restraints. During this struggle the subject spit in one of the officers face.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/Empty hand controls

Officer 2 – Empty hand controls/handcuffing



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Officer 3 – Empty hand controls

Arrestee – taken to UVMHC ED for evaluation
White Male Age 40, 5'05", 120 lbs.

Arrestee – no injury
Officer – no injury/saliva exposure to face

6. 23BU029130

12/10/23

Complainant/Officers Dispatched

Call type – Aggravated Assault

Charges – None

Synopsis

Caller stated to the effect that she had gone to a residence to pick up her boyfriend and observed him being assaulted by two subjects and that he has fractures in his face. Three officers arrived on scene and located the victim. The victim was extremely intoxicated. Officer conducted their investigation and it was decided to take the victim into protective custody due to their level of intoxication. The victim, who was kneeling on the floor, threw an object towards an officer but missed. The victim then held their hands out as if they were to be handcuffed. Two officers took hold of the victim's arms and a third took hold of his wrists. The officer could not get the victim to stand up. Officer had to physically pick the victim up and place him prone on a bed and bring his arms behind his back and handcuff him. The officers had to physically pick up the victim and carry them out of the residence and place them into a cruiser. While being transported, the victim began to kick out the Plexiglas barrier between the back seat and front seat of the cruiser. The officer warned the victim if he did not stop the officer would deploy his OC. The victim did not stop and the officer had to stop the cruiser and deploy his OC. The victim complied and stopped kicking the cruiser barrier. The victim made suicidal statements and the officer transported the male for an evaluation. At the facility the officer had to physically remove them from the back of the cruiser and with the help of facility staff and place them into a wheelchair. The victim continued to physically resist being brought into the facility and had to be placed back in the chair several times. The victim was finally placed on a bed in the facility and started to calm down.

Subjects Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/Empty hand controls/handcuffing/OC warned/OC deployed/empty hand controls

Officer 2 – Empty hand controls



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Officer 3 – Empty hand controls

Subject – taken into protective custody
Black Male Age 33, 5'06", 140 lbs.

Subject – no injury from UOF/transported to NWMC ED for evaluation suicidal statements
Officers – no injury

7. 23BU029529

12/15/23

Complainant/Officers Dispatched

Call type – Trespass

Charges – Unlawful Trespass/Disorderly Conduct/Resisting Arrest

Synopsis

Caller stated to the effect that a female subject was in their lobby screaming and refusing to leave the premises. Officer arrived on scene and after speaking to witnesses located the female in the waiting room seated in a chair. An officer attempted to speak with the female and negotiate her leaving the premises so she would not be arrested. The female continued to yell and scream and not comply. An officer stated to the effect that she was under arrest and to stand her up to which she actively resisted by sliding out of the seat and onto the floor. The officer had to physically move her arms behind her back as she struggled to keep her arms in front of her. Officers were finally able to move her arms behind her back and place her into handcuffs. The officers had to physically stand her up and escort her out of the building and place her into the back of a cruiser. Once in the cruiser an officer observed she had slipped out of one of her handcuffs. The arrestee had to be removed from the backseat as they would not comply with putting their hands behind their back so the officers could reapply the handcuff. Once out of the cruiser two officers had to physically move her arms behind her back and replace the one handcuff. Once this was done the arrestee refused to get back into the cruiser and had to physically be placed into the cruiser. At BPD the arrestee had to be removed from the cruiser and escorted into the holding area.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/empty hand controls/handcuffing

Officer 2 – Verbal direction/empty hand controls

Officer 3 – Empty hand controls

Arrestee – taken into custody brought to court

White Female Age 58, 5'03", 175 lbs.



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Arrestee – no injury

Officers – no injury

8. 23BU029560

12/15/23

Complainant/Officers Dispatched

Call type – Stolen Vehicle

Charges – Arrest on Warrant

Synopsis

An off duty officer had observed a stolen U-Haul truck and called dispatch and informed them of such. Officer responded to the area and located the vehicle. An officer observed two suspects in the cab of the vehicle. Two other officers arrived on scene. Two officers drew their firearms and pointed them at the occupants of the vehicle and conducted a high risk motor vehicle stop. The two occupants were called out individually from the cab of the truck, walked back to the officers and compliantly handcuffed. Both individuals complied with officers orders. One of the subjects had an active arrest warrant. A third subject was located in the cab and brought out at gunpoint and detained.

Arrestees Actions – compliant

Subjects Actions – compliant

Officer Actions

Officer 1 – Verbal commands/firearm pointed

Officer 2 – Verbal commands/firearm pointed

Arrestee – taken into custody

White Female Age 40, 5'09", 160 lbs.

Subject 1 – investigative detention and released

White Female Age 41, 5'05", 225 lbs.

Subject 2 – investigation detention and released

White Male Age 45, 6'00", 240 lbs.

Arrestee – no injury

Subjects – no injury

Officer – no injury

9. 23BU029693

12/17/23



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Complainant/Officers Dispatched

Call type – Simple Assault

Charges – Simple Assault/ Violation of Conditions of Release X3/Unlawful Trespass

Synopsis

Employee stated to the effect that a subject had returned to the bar and attempting to fight with patrons. The employee stated the subject was being detained in the alleyway by staff at this time. Two officers arrived on scene and observed the suspect being held down on the ground by bar staff. The two officers took over control and attempted to handcuff the suspect on the ground. The suspect resisted, attempting to pull their arms away. The two officers had to use physical force to move the suspect's arms behind his back. The suspect was then placed into handcuffs and taken into custody.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/Empty hand controls/handcuffing

Officer 2 – Verbal commands/Empty hand controls

Arrestee – taken into custody and lodged

White Male Age 30, 5'09", 160 lbs.

Arrestee – no injury

Officer – no injury

10. 23BU029700

12/17/23

Complainant/Officers Dispatched

Call type – Disorderly Conduct

Charges – Disorderly Conduct

Synopsis

Caller stated a male subject was pushing a wheelchair in the middle of the road. The first officer on scene observed the suspect in the middle of traffic. The officer went into traffic and stated to the effect to the suspect he needed to move out of the road. The officer pulled on the suspect's shirt moving them towards the side of the roadway. The suspect, still holding the wheelchair, pulled back and away from the officer. The officer then took hold of the suspect's arm to better leverage the suspect and wheelchair to the side of the road. The officer physically pulled the suspect to the side of the roadway and the suspect pulled against him the entire way. At the roadside the officer stated to the effect the suspect was under arrest and to get on the ground and the suspect complied. The officer compliantly handcuffed the arrestee.



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Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/Empty hand controls/handcuffing

Arrestee – taken into custody, cited and released on conditions

White Male Age 4, 5'07", 200 lbs.

Arrestee – no injury

Officer – no injury

11. 23BU029758

12/18/23

Complainant/Officers Dispatched

Call type – Disorderly Conduct

Charges – Disorderly Conduct

Synopsis

Caller stated to the effect that a male and female were in a mutual fight and the male threw the female onto the ground. An officer arrived on scene and located the female who was uncooperative and declined medical attention. The female then attempted to walk away. The officer stated to the effect that she was being detained and took hold of the suspect's arms to stop her. The suspect attempted to pull away and tensed up her arms. The officer moved the suspect's hands behind her back and placed her in handcuffs. The officer spoke with a second officer who had witnessed the altercation and both the female and the male were fighting causing motorist to slow down and watch. The arrestee was transported to BPD.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/empty hand controls/handcuffing

Arrestee – taken into custody, processed and released on citation

White Female Age 28, 5'03", 125 lbs.

Arrestee – no injury

Officer – no injury

12. 23BU029772

12/18/23

Complainant/Officers Dispatched



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Call type – Disorderly Conduct

Charges – Aggravated Disorderly Conduct

Synopsis

Caller stated to the effect that there was a male subject inside a business who had a knife and was making stabbing gestures. Two officers arrived on scene and due to the subject being armed with a knife drew their firearms. When the subject was encountered, seated in the waiting area with a knife in hand, both officers pointed their firearms at the subject. One officer stated to the effect for the subject to drop the knife. The subject eventually complied by throwing the knife onto the ground. The subject was stood up and compliantly handcuffed.

Arrestees Actions – Armed with knife/Compliant

Officer Actions

Officer 1 – Firearm pointed/Verbal commands

Officer 2 – Firearm pointed

Arrestee – taken into custody and lodged with bail

White Male Age 40, 5'10", 175 lbs.

Arrestee – no injury

Officer – no injury

13. 23BU029779

12/18/23

Officers Initiated

Call type – Suspicious Event

Charges – Arrest on Warrant

Synopsis

A female subject who was known to officers approached an officer on Church Street. The officer noted that female was showing numerous signs of intoxication. The officer checked with dispatch to see if the female was wanted. The officer learned the female had numerous valid warrants for her arrest. The officer was able to relocate the female exiting a store and informed her of the warrants and that she was under arrest. The arrestee then walked back into the store and the officer followed her stating to the effect for her to stop. The officer attempted to secure the arrestee's left arm to which she pulled it away. The officer stated to the effect for the arrestee to remove their backpack and place it on the ground. The arrestee again turned and tried to move further back into the store. The officer attempted to remove the backpack and the arrestee swatted at the officers hands. The arrestee stated to the effect they were being compliant to which the officer stated to the effect she was not being compliant. The



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officer was able to remove the backpack. The officer then attempted to bring the arrestee's arms behind her back. The arrestee actively resisted the officer's attempts. The officer then brought the arrestee to the ground in a controlled manner. The officer was able to place the arrestee in a prone position, move her hands behind her back and handcuff her. A second officer arrived on scene and had to physically assist the first officer in standing up the arrestee as she refused to do so. Once outside at the police cruiser the second officer had to physically hold the arrestee while the first officer searched her. During the search the arrestee kicked the second officer.

Arrestees Actions – Actively Resistant/Assaultive

Officer Actions

Officer 1 – Verbal commands/empty hand controls/handcuffing

Officer 2 –Empty hand controls

Arrestee – taken into custody and lodged on the warrants

White Female Age 32, 5'03", 195 lbs.

Arrestee – no injury

Officer – no injury

14. 23BU029889

12/19/23

Complainant/Officers Dispatched

Call type – Trespass

Charges – Unlawful Trespass

Synopsis

UVMC Security called asking for assistance in removing a male subject who had been discharged and when he did not leave was trespassed. Two officers arrived on scene and were taken to the area the male was located. The male pretended to be asleep and officer had to wake him up and stated to the effect he had to leave. After a several minutes the male stood up and stated he would wait for his cab but there was no cab coming for the male. The male then stated he would wait in the waiting for the cab. An officer stated to the effect to the male that he was trespassed and had to vacate the premise. The male then stopped walking. An officer pushed the male forward to keep him moving. The male turned and squared off with the officer, clenched his fists and yelled at the officer to not touch him. The officer then advised the male they were under arrest. The officer took control of the arrestee's left arm and the arrestee attempted to pull his arm to the front of his body. The officer had to physically move the arrestee's arm to the male's back. The second officer took control of the arrestee's right



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arm and physically brought it behind the males back. The first officer then placed the arrestee into handcuffs.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/Verbal commands/empty hand controls/handcuffing

Officer 2 – Empty hand controls

Arrestee – taken into custody and lodged

Black Male Age 42, 6'00", 175 lbs.

Arrestee – no injury

Officer – no injury

15. 23BU029892

12/20/23

Complainant/Officers Dispatched

Call type – Disturbance/Welfare check

Charges – Simple Assault/Impeding a Public Officer/Resisting arrest

Synopsis

A subject had been compliantly taken into custody several charges at a downtown convenience store. The arrestee was showing signs of a drug intoxication and was being transported to UVMMC ED for evaluation. Due to the arrestee's assaultive behavior an officer was riding up in the ambulance with BFD personnel. When an EMT attempted to collect a vital sign the arrestee sat up and bit onto a cable for the device. The officer had to physically push the arrestee back down onto the stretcher. The arrestee still had the cable in his mouth. The officer stated to the effect if the arrestee did not stop biting the cable the officer would be sprayed with OC. The officer did not display his OC. The arrestee stated to the effect no – and when he did this the officer took the cable out of the arrestee's mouth.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Empty hand controls/OC warned

Arrestee – brought to UVMMC ED

White Male Age 45, '08", 175 lbs.

Arrestee – no injury

Officer – no injury



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16. 23BU029920

12/20/23

Officers Initiated

Call type – Trespass

Charges – Unlawful Trespass

Synopsis

An officer on foot patrol observed a male subject they knew to be trespassed from the Church Street Market Place. The officer approached the male and stated to the effect that he was under arrest for violating the no trespass order. The officer took hold of the arrestee's right arm, the arrestee yelled but was compliant. A second officer secured the arrestee's left arm. The first officer placed one handcuff on the arrestee when he began to resist by actively trying to pull away. The officer had to physically move the arrestee's handcuffed hand behind the arrestee's back and finish handcuffing the arrestee. The arrestee continued to struggle while being searched and officers had to physically hold the arrestee in place. The arrestee tried to push past the second officer using his body and the officer had to physically move the arrestee into the rear of the cruiser.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/empty hand controls/handcuffing

Officer 2 – Empty hand controls

Arrestee – taken into custody, processed and released on citation.

White Male Age 37, 5'06", 120 lbs.

Arrestee – no injury

Officer – no injury

17. 23BU030111

12/22/23

Complainant/Officers Dispatched

Call type – Suspicious Event

Charges – None

Synopsis

A caller stated to the effect they observed a male force his way into a vehicle occupied by a female and that the female was honking the horn to get attention of other for help. The caller gave a description of the vehicle, stating it had tinted windows, and of the male subject. An officer arrived on scene and observed the vehicle parked and running. As the officer



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approached the vehicle they observed all the windows were tinted and the officer could not see into the vehicle. The vehicle then began to move from its parking spot towards the officer. The officer gave verbal commands for the vehicle to stop but it did not. The officer drew their firearm and pointed it at the vehicle. The vehicle eventually stopped. A female operator exited the vehicle and the officer directed her away from the vehicle. Other officer were able to remove the male subject without incident. Both subjects were temporarily placed in handcuffs for safety purposes while officers investigated. Officers learned the female knew the male and was picking them up at a residence. She had honked the horn to let him know she was there. Unknown how the caller had misinterpreted the events they stated they witnessed. Both were released.

Subjects Actions – Compliant

Officer Actions

Officer 1 – Verbal commands/Firearm pointed/handcuffing

Subject– investigative detention, released

White Female Age 36, 5'04", 205 lbs.

Subject – no injury

Officer – no injury

18. 23BU030119

12/22/23

Complainant/Officers Dispatched

Call type – Disturbance

Charges – Disorderly Conduct

Synopsis

Caller stated to the effect there was an assault occurring on GMT bus #9 at the bus terminal. Officers arrived on scene and learned that no assault had occurred but that a male subject had urinated in front of passengers and had verbally threatened passengers. The suspect then stepped off the bus and approached the officer and the witness yelling obscenities. The suspect refused to identify himself to the officer. Officers were able to take the suspect into custody and compliantly handcuff them. While being searched before being placed into the cruiser the arrestee attempted to bite one of the officers twice while they were removing property from the arrestee's person. The other officer had to use physical force on the arrestee to pull them away from the searching officer to stop them from biting that officer. That same officer had to physically move the arrestee into the back of the cruiser when the arrestee refused to get in. At BPD the arrestee ignored commands to walk into the holding area and had to be physically escorted into the holding area.



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Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/empty hand controls

Arrestee – taken into custody and lodged

Black Male Age 42, 6'00", 175 lbs.

Arrestee – no injury

Officer – no injury

19. 23BU030133

12/23/23

Complainant/Officers Dispatched

Call type – Threats and Harassment

Charges – None

Synopsis

Caller stated to the effect a male subject was inside their store acting threatening and aggressively towards people. Officer arrived on scene and took the male subject into protective custody due to his level of impairment. The male was compliantly handcuffed. The male was transported by BPD to detox at Northwestern Correctional Facility. Upon arrival the male appeared to be passed out and the officer had to have them medically screened at Northwestern Medical Center. While being discharged from the hospital the male continuously attempted to get out of his wheelchair and the officer had to physically force the male to remain seated. Once discharged the male refused to get into the back of the cruiser and the officer had to physically pull the male into a seated position in the rear seat of the cruiser.

Subject Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/Empty hand controls/handcuffing

Subject– taken into custody and lodged

White Male Age 33, 5'10", 200 lbs.

Subject – no injury

Officer – no injury

20. 23BU030191

12/24/23



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Complainant/Officers Dispatched

Call type – Domestic Disturbance

Charges – None

Synopsis

Caller stated to the effect that a male had pushed her against a wall. Upon arrival officers found the male subject belligerent, aggravated and non-compliant with officer's requests as they tried to determine if a crime had been committed. The male subject refused to come downstairs and speak with officers and continued to engage with his female girlfriend upstairs. After numerous verbal requests an officer went upstairs and made contact with the male in the doorway to his girlfriend's bedroom. The male turned aggressively towards the officer while leaning/puffing his chest towards the officer and begin approaching while screaming "fuck you." The officer also observed the male lower his hands towards their side as he approached. The officer feared being assaulted and took hold of the front of the male's sweatshirt, pulled him through the door and placed him up against a wall restraining the male there until he calmed down. Once the officer had the male calmed he was able to walk the male downstairs and speak with him. Officers were able to determine that no crime had occurred.

Subject Actions – Assaultive clues

Officer Actions

Officer 1 – Verbal direction/Verbal commands/Empty hand controls

Subject – investigative detention/released

White Male Age 32, 5'11", 220 lbs.

Subject – no injury

Officer – no injury

21. 23BU030240

12/24/23

Complainant/Officers Dispatched

Call type – Stolen Vehicle

Charges – Possession of Stolen Property/Operating without owners consent

Synopsis

Caller stated to the effect they were following a friend's vehicle that had been stolen. An officer located the vehicle on Pine Street traveling in the opposite direction. The officer turned and followed but the vehicle was no longer visible after turning east onto Maple Street. The officer began to check driveways and relocated the vehicle in a driveway. There were a male and female exiting the vehicle. The officer was able to detain the female but the male had left the



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driveway. A second officer arrived and stood by with the female. The officer began to search the small yard with his firearm out not knowing if the male was armed or not. The officer located the male in the yard. The officer pointed his firearm at the male stated to the effect for the male to turn away from the officer and show his hands. The male complied. The officer holstered their firearm and compliantly handcuffed the male.

Arrestees Actions – Compliant

Officer Actions

Officer 1 – Verbal commands/Firearm pointed/handcuffing

Arrestee – taken into custody, processed and released on citation
Black Male Age 32, 5'09", 160 lbs.

Arrestee – no injury

Officer – no injury

22. 23BU030402

12/27/23

Complainant/Officers Dispatched

Call type – Trespass

Charges – Arrest on Warrant

Synopsis

Caller stated the heard footsteps in an unoccupied apartment in their building. The property owner confirmed that there should not be any subjects in that apartment. Officer arrived on scene and set up a perimeter around the residence. An officer located three subjects on the porch of the apartment. A female subject left the porch and began to walk away from the officer. The officer stated to the effect to the female police and stop. The female advised she was leaving and continued to walk away. The officer approached the female and took control of the female's arms and moved them behind her back to place her in handcuffs. The female attempted to pull away. A second officer assisted the first officer in placing the female into handcuffs. A check of the subjects showed the female subject had an active warrant for her arrest. While the second officer was searching the arrestee they observed her handcuffed right hand was clenched. The arrestee refused to open her hand. The officer had to physically pry open the arrestees hand and remove a crack pipe.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/Empty hand controls/handcuffing

Officer 2 – Verbal commands/Empty hand controls/prried open right hand by force



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Arrestee – taken into custody and lodged on warrant
White Female Age 35, 5’02”, 135 lbs.

Arrestee – no injury
Officers – no injury

23. 23BU030548

12/29/23

Complainant/Officers Dispatched

Call type – Disorderly Conduct

Charges – Disorderly Conduct/Violation of Conditions of Release

Synopsis

Caller at UVMHC stated to the effect a male was publicly masturbating at the entrance to the ED. Upon arrival officers learned the male had only been simulating masturbation but was causing a disturbance in the waiting area. Officers went inside and could hear the male yelling and rolling around while lying on the floor. The officer asked the male to step outside to which he stood up and began to walk outside. The officer stated to the effect that to the male that he was being trespassed. The male then stopped and refused to walk outside. The officer spoke with the male again and the male continued with some odd behavior before walking outside. The male then got on his knees and placed his hands behind his back of his own accord. The male was compliantly handcuffed. The male’s behavior still continued to escalated, he would make inappropriate comments to subjects walking into the ED, marching with high steps while stating “Hail Hitler”. The officer feeling the male may attempt to walk away decided to place the male into the back of the cruiser. While walking the male to the cruiser the male violently pulled away from the officer. The officer took control of the male’s left bicep with both of his hands and physically walked the male to the cruiser. Officer concluded from their investigation that the male had committed several crimes and was taken into custody.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/verbal commands/empty hand controls

Arrestee – taken into custody
White Male Age 53, 5’09”, 145 lbs.

Arrestee – no injury
Officer – no injury



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24. 23BU030629

12/31/23

Complainant/Officers Dispatched

Call type – Disturbance

Charges – Simple Assault/Disorderly Conduct/Violation of Court Conditions of Release

Synopsis

Caller stated to the effect that a physical fight was occurring between a male and female. Officers arrived on scene and located both parties. During the officers investigation they determined the female suspect was the aggressor and attempted to take her into custody. An officer stated to the effect to the suspect she was under arrest and to place her hands behind her back. The arrestee attempted to move away from officers and one officer gained control over her left arm and moved it behind her back. The arrestee was placed into handcuffs. The arrestee was transported to the Burlington Police Department. Once there the arrestee refused to exit the police cruiser and two officers had to physically remove the arrestee from the backseat and walk her into the holding area. Once in the holding area the arrestee stated they had a medical condition and wanted medical services. BFD arrived on scene and the arrestee requested to go to UVMHC ED. The arrestee was compliantly handcuffed, leg restraints, placed on a gurney and driven to UVMHC ED by BFD. Two officers rode in the back of the ambulance to the ED. Once at the ED the arrestee was uncooperative with ED staff. Three times the arrestee laid on the floor and refused to get back up into a wheelchair. Each time the officer had to physically pick up the arrestee with the assistance of hospital security and place her back into the chair.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal commands/Empty hand controls/handcuffing/leg restraints

Officer 2 – Empty hand controls

Officer 3 – Empty hand controls

Arrestee – taken into custody and lodged on court ordered conditions

White Female Age 32, 5'03", 195 lbs.

Arrestee – no injury

Officers – no injury

25. 23BU030674

12/31/23

Complainant/Officers Dispatched



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Call type – Simple Assault

Charges – Simple AssaultX2/Disorderly Conduct/False Information to a Police officer/Resisting arrest

Synopsis

Caller stated to the effect that there was a verbal altercation occurring in their establishment between four females. Officers arrived on scene and located a victim with a sever laceration to their head. During the course of their investigation the officers developed a suspect which they located inside the establishment. Two officer were in the establishment and an officer went inside and notified them of the suspect and that they were to be taken into custody. Officer approached the suspect and asked them to step outside of the establishment. The suspect refused to comply. An officer stated to the effect that they were under arrest and to place their hands behind their back. The suspect refused. The officer secured the arrestee's left wrist while a second officer secured the arrestee's right wrist. The officers attempted to place the arrestee's hands behind their back but the arrestee actively resisted by attempting to twist and wrench their hands away. The two officer were able to physically place the arrestee's hands behind their back and put them in handcuffs. The arrestee was transported back to BPD for processing and lodged at NWCF on a judge's orders until they had a BAC of 0.00%.

Arrestees Actions – Active Resistance

Officer Actions

Officer 1 – Verbal direction/Verbal commands/Empty hand controls/handcuffing

Officer 2 – Empty hand controls

Arrestee – taken into custody and lodged on court ordered conditions

Black Male Age 21, 5'09", 150 lbs.

Arrestee – no injury

Officers – no injury



Police Commission
Wednesday, December 20, 2023, 6:00 PM, Virtually via Zoom

MINUTES OF MEETING

DRAFT

MEMBERS PRESENT:

Mary Cox
Shakuntala Rao
Suzy Comerford
Kevin Garrison
Jessica Oski

OTHERS PRESENT:

Shannon Trammell

1. Agenda

1.1. Call to Order

The meeting was called to order by Co-Chair Rao at 6:00pm

1.2. Roll Call and Determination of Quorum

Quorum met.

Commissioner Keefe not present

1.3. Additions or Modifications to Agenda

Motion to adopt the agenda made by Commissioner Garrison, SECONDED by Commissioner Oski

VOTING: Unanimous; motion carries

2. Public Forum (Time Limit 5 Minutes)

2.1. The public is invited to address the Commission

No members of the public requested to address the Commission

3. Anticipated Executive Session

Co-Chair Rao asked for any motions regarding special findings.

Co-Chair Cox moved for a special finding that premature general public knowledge of the Commission's hearing of grievances would clearly place the state, municipality, other public body, or person involved at a substantial disadvantage., SECONDED by Commissioner Oski

VOTING: Unanimous; motion carries

Co-Chair Rao then asked for a motion to move into Executive Session.

Co-Chair Cox moved that the Commission enter executive session based upon the special finding, pursuant to 1 VSA 313(a)(1), SECONDED by Commissioner Comerford

VOTING: Unanimous; motion carries

Co-Chair Rao then announced that the Commission would not move back into public session at the conclusion of the Executive Session and there would be no further public discussion.

3.1. Executive Session

The Commission entered Executive Session at 6:10pm



Police Commission
Tuesday, December 26, 2023, 6:00 PM, Virtually via Zoom

MINUTES OF MEETING

DRAFT

MEMBERS PRESENT:

Shakuntala Rao
Mary Cox
Jessica Oski
Carolyn Hanson
Kevin Garrison

OTHERS PRESENT:

Jon Murad
Wade Labrecque
Shannon Trammell
Ben Traverse
Gene Bergman
Joan Shannon
Joe Corrow

1. Agenda

1.1. Call to Order

The meeting was called to order by Co-Chair Rao at 6:02pm

The Commission welcomed new Police Commissioner Carolyn Hanson. Commissioner Hanson stated she is looking forward to the work of the Commission. She lives in the South End of Burlington and loves the special community that Burlington has.

1.2. Roll Call and Determination of Quorum

Quorum met.

Commissioners Keefe & Comerford not present

1.3. Additions or Modifications to Agenda

Motion by Commissioner Oski, SECOND by Commissioner Garrison to amend/adopt the agenda as follows:

- Add to communication from Councilor Shannon to agenda item 4.3 for discussion on Charter/Ordinance Change discussion

VOTING: unanimous; motion carries

2. Public Forum

2.1. The public is invited to address the Commission

Members of the public were invited to address the Commission.

COMMENTS:

- Romeo Von Herman expressed his thanks to the Public Safety Committee for bringing the charter change proposal forward. He shared his gratitude to the Police Commission, Public Safety Committee, and Police Department and views this as a significant step forward.
- Councilor Grant spoke that the joint committee work has been difficult. She appreciated the amount of time that has been put in. She noted that an ongoing concern of hers is that focus was lost. She stated that the union contract has extraordinary protections for officers and retention of records and a balance needs to be found to look out for both the officers and the public. She continues to feel that there is a lack of addressing the issues her community feels in the North End, and acknowledged that it may not be the same in all wards. She stated she addressed the Public Safety in an effort to repair the relationship between her and Chief Murad and hoped for some mediation.
- Nicole Losch is a Burlington resident and a City of Burlington employee for the past 19 years. She thanked the Commission for their service and stated that she takes pride in the City but has been struggling to find that pride in the past few months from an issue she is dealing. She stated she feels exasperated and is struggling to get clear answers on process and feels she keeps being turned away.
- Faried thanked Councilor Grant for standing up for those that still do not feel safe with the Police Department. There is a lack of trust with the Police Department and stated that the current charter isn't working and the City needs a new one.

3. Chief's Report

3.1. Monthly Chief's Report, presented by Chief of Police Jon Murad. Materials to be posted.

The Chief of Police presented his monthly Chief's Report to the Commission.

4. Commission Business

4.1. Discussion on the draft copy of the Burlington Police Oversight Charter Change proposal by the Joint Committee by City Councilors Traverse and Bergman.

Councilor Traverse thanked the Commission for the invitation. Both he and Councilor Bergman co-chaired the Oversight and Accountability Committee. He addressed how the Committee came to be and the Committee's commitment to accomplishing a joint goal. And that he felt it was key to not only document the current process but also to expand as needed, to find balance with the Community.

1. He noted the key takeaways from the draft proposal:
2. By 2/3rds vote, the Police Commission can decide if it should move an independent review or

investigate an incident.

That it is up to the Police Commission to exercise this right or not, and that if there is disagreement with decisions that are rendered, by 2/3rds vote, the Commission can elevate it to a 3 person panel that is selected by the Mayor and made up of a professional, someone with experience in law enforcement, and a member of the community, and this panel will decide how a particular issue gets resolved.

3. He noted that the Chief's authority is still a matter of continued discussion and that the Committee is seeking additional feedback on this.
4. Officers appeal process was also addressed and the concern is due process.

Councilor Bergman stated he appreciates the Commission and the Department, and all of those that participated in the process. The goal was to codify responsibilities the Police Commission, which largely are already being done by the Commission. He also noted that the draft authorizes the Commission to do these things, but doesn't require it to do so.

4.2. Discussion on the draft copy of the Burlington Police Oversight Charter Change proposal from BPOA President, Joe Corrow

Detective Corrow is the BPOA President and stated largely that the Union is in agreement with a lot of things the draft addresses, but has concerns mostly that there is no timeline for responsibilities or process in the Charter change draft. And that was a big concern. Conduct and Incident investigations are already a timely and stressful process, and Officers feel in limbo with their jobs during this time, so extending this already lengthy process is a concern. Another concern addressed was that the Union felt the panel should be made up of 5 people, not 3, and that it absolutely needed to include people with experience in law enforcement.

4.3. [ADDITION ADOPTED] Discussion on the draft copy of the Burlington Police Oversight Charter Change proposal from Councilor Shannon Councilor Shannon

Councilor Shannon stated that she believed this process could have been done more collaboratively with the Police Union, so that it didn't seem like we were imposing something without their engagement. She stated that they were sent notices that meetings were being conducted, but were not being actively engaged for input, until she reached out to them. She stated it can be really hard to engage in the meetings, if you are not in attendance at them all, especially for the Police Commission that has to go back to the board. There is value in what is being done here, and codifying what the Commission has already been doing by agreement. The specific concerns she has are investigatory authority, which was assumed the Police Commission wanted, but isn't sure that is the case. Stated her concern about the timeline also, lengthening the process can actually delay discipline that needs to happen and can cost the City a lot of money. She stated she felt what might be helpful is a Monitor to review the investigation that has already been done, so the Commission would be in a better position to give input in a better way. The Mayor having the authority to discipline officers is a bad idea, officers deserve professional oversight and the Mayor is a politician. She stated she supported 3 people on the panel, because appointing 5 in a process that is already under a time crunch will be a challenge, and perhaps what is better is appointing a few that will always serve on the panel, and selecting others to be on the panel when situations arise. Looking to the Commission to give guidance to the Committee to address what they couldn't address before they had to warn this.

The Commission opened the floor for discussion from Commissioners & Chief Murad

Chief Murad stated that he fully agrees with transparency and discipline and that input should be given, but not the final authority. He also stated he is in favor of codifying the process that has developed the last 3 years and memorialize the decisions that have been made with the process between the Police Commission and the Department. He stated that he strongly objects to language and revisions of #185 and #191 in the Charter and believe that these are contradictory to each other.

Commissioner Oski that the fundamental issue seems to be with the complaints the Police Commission receives. Sometimes they are internally generated, that they do see these complaints. Most of the citizen complaints they received do not result in disciplinary actions, they are more of a learning opportunity, not of discipline. The discipline they see and have input on come primarily from internally generated complaints. She feels it is hard because the complaints and resolutions are shielded from the public. She would like to better define what complaint levels are and would like the Commission to be able to communicate more on what the complaints they receive are and how they were resolved.

Co-Chair Rao commented that this draft goes far further than she expected. A concern of hers is the independent investigations. The time commitment and expertise needed for this exceeds what the Commission is capable of and already struggle with the time commitments and work load of this volunteer board, and it is not feasible.

Co-Chair Cox appreciated hearing the view of the BPOA and that they agree with the process that is currently in place. She stated she felt the process has worked the many times it has been used before.

Councilor Bergman stated that the Commission has the authority to make directives and rules for the Department and the right to develop policy for BPD.

Chief Murad stated that recently the Commission did in-fact over rule the Chief's decision on discipline.

Commissioner Garrison stated he is not sure where he is at, that he wasn't in support of the last one and not sure it is going to be used. He stated that it seems redundant, but that he does want to be a part of the process to work towards something good.

Co-Chair Cox stated that the independent panel needs more people, and needs to be made up of professional police officers, much like NTSB is made up of transportation experts. She stated the process was well intended but not enough stakeholders were involved earlier in the process and recommended holding this for another year. She agreed that the Commission needs a type of monitor, but felt that is more of an administrative support role in the complaint process to compile the information and documents and ensure the Commissioners have everything. She stated that is a lot of work and is currently being done by Commissioner Keefe. They need an administrative monitor, not an investigative one.

Commissioner Hanson stated she does not feel this is ready for a charter change. A charter change is like amending the Constitution. She said she has a lot of questions and this seemed like a rush process and things like how we build transparency and how much is being asked of a volunteer board need to be looked at, along with what the Commission should be focused on. She said she would like to know how this would interact with the State level process, that VCJC also has a process for addressing these kinds of things as well, and doesn't want to see this interfere with that ability.

Commissioner Rao stated the Commission would like to retain the appellate aspect, not the investigative aspect.

Motion made by Commissioner Hanson to make a recommendation that the proposal be sent to the Police Commission to continue to work on this for a period of 6 months, for the Commission to be given the opportunity to work on this and come back to the Joint Commission with a proposal, SECONDED by Co-Chair Cox.

Discussion: Commissioner Oski stated she will not be supporting this, that the Commission doesn't have the capacity to do this and that this is the role of elected officials.

Friendly Amendment: Motion made by Commissioner Hanson to recommend that the proposal be sent to the Police Commission for a sufficient amount of time for deliberation and changes; SECONDED by Co-Chair Cox.

VOTING: 4 yes – 1 no; motion passes

Yes: Rao, Garrison, Cox, Hanson

No: Oski

5. Use of Force Reports

Commissioner Hanson recused herself from discussion on Use of Force reports for potential conflict of interest, as she is not yet familiar with these reports or discussion as it relates to her career.

5.1. Use of Force Reports for October 2023

The Commission did not find any Use of Force Incidents to request or review from October.

5.2. Use of Force Reports for November 2023

The Commission did not find any Use of Force Incidents to request or review from November

6. Anticipated Executive Session

6.1. Executive Session

Commissioner Oski moved for a special finding that premature general public knowledge of the Commission's hearing of grievances would clearly place the state, municipality, other public body, or person involved at a substantial disadvantage., SECONDED by Co-Chair Rao

VOTING: Unanimous; motion carries

Commissioner Oski moved that the Commission enter executive session based upon the special finding, pursuant to 1 VSA 313(a)(1), SECONDED by Commissioner Cox

VOTING: Unanimous; motion carries

Co-Chair Rao then announced that the Commission would not move back into public session at the conclusion of the Executive Session and there would be no further public discussion.

7. Adjournment
