

Rutland City Police Commission
February 14, 2022

Present: Chairman Sean Sargeant, Commissioners Tony Romeo, Janette Langston and Peg Flory.

Also attending: Chief Kilcullen, Commanders Sam Delpha and Greg Sheldon, Cpl. Richard Caravaggio, Crime Analyst Nathan Thibodeau, Tracie Hauck and Michael Daly of Turning Point.

Call to order by Chairman Sargeant at 6:03 pm.

Introduction of Newly Appointed Police Commissioner

Chairman Sargeant introduced Peg Flory who was approved for the Police Commission by the Aldermen on Feb. 7. Chairman Sargeant said that former Commissioner Calcagni will be invited back in the spring to acknowledging his long-standing service to the Commission.

Approval of Minutes

Commissioner Romeo moved to approve the minutes of January 10, 2022. Commissioner Langston seconded. Motion carried 3-0 with 1 abstention.

Public Comment

Commissioner Langston invited Tracie Hauck and Michael Daley of Turning Point to the meeting to discuss their roles in the community. Tracie explained Turning Point offers 1 to 1 peer coaching and recovery support to people in the community struggling with substance abuse disorder, as well as, programs available for family members. Michael discussed the sober houses and treatment alternatives Turning Point has as resources. Commissioner Flory asked if they receive referrals from Diversion. Tracie said sometimes and she talked about how referrals are received. They also discussed the Thursday Café which needs guest chefs. Tracie said Turning Point is located at 141 State Street. Chief Kilcullen thanked them for their involvement of providing resources to people this year at the Quality Inn. He added that officers had attended the Police Assisted Addiction Recovery Initiative last year to get an overdose response team started, but due to the staffing decrease it has been difficult to do. He asked if Turning Point received a grant to train more recovery coaches. Tracie discussed the grants they have received and what is covered by the funding. She has 10 coaches currently but no funding for new coaches. Tracie talked about how COVID has made the problem worse and the frustration the police must feel in dealing with people who have substance abuse issues. Commissioner Langston asked if someone from Turning Point should review the CRO job description.

Chief Kilcullen said that calls resulting in referrals to Turning Point would be covered by a police officer and not the CRO.

Commissioner Langston said the police have done a great job with the recent 3 drug house busts.

Communication from Union

Cpl. Caravaggio reported administration is working to improve morale and making more training opportunities available. The new uniforms are still being tested. Chairman Sargeant asked if the modification to the physical fitness standards policy had been distributed. Chief Kilcullen confirmed that it had gone out to all employees announcing a suspension of the policy while a standard is developed that is more consistent with what the Vermont Criminal Justice Council has adopted.

Commanders' Report

Commander Delpha said there are two police officer candidates in background with one preparing for the PT test that will enable them entrance to the March academy. He said that there is also someone in background for the dispatch position with several good candidates available if they don't pass.

Commander Sheldon said he gave the Chief the final draft of the CRO position with the changes and recommendations by the Community Policing Sub Committee. He said someone from the committee should be on the hiring panel and Al Wakefield has volunteered. Commander Sheldon discussed an issue that has come up for the Steering Committee and community partners, it is the duplication of services provided by agencies like BROCC food shelf, Parent/Child Center food tent, Mintzer Brothers food shelf and the Community Food Cupboard. This creates frustration as these agencies fight for the same funding and clients and confusion on where to send people for resources. Commander Sheldon said the Steering Committee has asked him and Mark Stockton to attend a meeting on Wednesday to talk to the partners on how to work better together. He has also talked to Mike and Tracie and met with Jess Daniels at Evergreen about referral processes. Part of the problem with referrals is they aren't coming through because the Court is not seeing people and cases are being dismissed without appearing before a judge. The Department of Correction's numbers are also drying up so no referrals are coming from DOC. Commander Sheldon said he will be meeting with Alison at BROCC tomorrow to discuss their referrals and the resources they offer. He also said Alicia Armstrong and Emilio will be tag-teaming some neighborhood problems, in particular a situation where a number of calls and emails are being generated by one family.

Commissioner Romeo asked if the food shelves and pantries communicate with regard to who is applying for services. Commander Sheldon said there are some checks and balances within the Homeless Prevention agency. Commander Sheldon discussed a fraud "Go Fund Me" page that was set up following a recent fire.

Commissioner Langston said she has had to step back from committee work at Project VISION due to online diploma work.

Mapping Update

Nate Thibodeau is still in the process of transferring the mapping information from Spillman software to VALCOR. He presented the Rutland City Police Department January 2017-2022 comparison. The total call volume five-year average is 819 with 757 calls in January which is a -2% change. Directed patrols five-year average is 85 with 9 in January. Robbery the five-year average is 1, January 3, Aggravated Assault five-year average is 2, January 3, Burglary with force the five-year average is 4/January 4 and Burglary no force average is 1/January 0. Larceny is broken down as follows: Automobile theft 5-year average is 1/January 6 with 4 recovered vehicles, theft from buildings average 3/January 4, theft from vehicle average is 3/January 11, retail theft average is 8/January 5. Chairman Sargeant asked why the automobile theft is at 6. Nate said in 2021 60% of the thefts were done by a friend. Chairman Sargeant said there was some connection between the owner of the vehicle and the person who stole the vehicle. Commissioner Romeo asked if the truck stolen from the post office was found. Commander Sheldon said yes. Nate said in 2021 there were 8 cars that were left running that were taken. Commander Sheldon said it is illegal to leave a car idling. Nate said last year there were 42 cars taken with a recovery rate of 64% with 25 recovered in state.

Nate continued with Larceny all other statistics saying so far there have been a total of 82 larcenies this year with 32 in February. The biggest thing being taken is catalytic converters followed by personal belonging, monetary items, groceries, automobile electronics, license plate, gas and all other. The majority of thefts are from commercial businesses followed by residential.

Nate provided overdose information for January at 2021 at 9 and January 2022 at 6 with 5 non-fatal and one fatal. The age range is between 30 and 39 followed by 40-49. He said the most common drug is heroine and prescription fentanyl.

Chief Kilcullen asked if the vehicles broken into were classified as vandalism calls. Nate said there have been 5 broken car windows so far and he believes the majority would have had value items in plain view, like ski equipment. Chief Kilcullen said the public needs to be educated not to leave anything of value in vehicles.

Chairman Sargeant asked if there is any update on the stabbing victim. Commander Delpha said the victim has been less than cooperative but there is no threat to the general public. The investigation is on-going.

Budget Report

Chief Kilcullen reported that at 58% into the fiscal year, expenses are at 49% of the budget adding that they are underbudget due to the salary line. Chief Kilcullen discussed the \$30,000 in flooring that will be installed in March. Commissioner Langston suggested using acoustic art on the walls in the interview room. Chief Kilcullen believes the carpeting will be enough to soundproof the room.

Chief's Report

Chief Kilcullen said the City was awarded \$4.4 million over two years of ARPA funding. Following the Mayor's initial requests from department heads and the public meeting, the Finance Committee of the Board of Aldermen established a process to hear the requests for funding. The Finance Committee has held four meetings to date to evaluate all City requests. Chief Kilcullen prioritized his following requests: \$80,000 in COVID Premium Pay for officers and support staff who continued to work in the field during the pandemic and were directly exposed, \$100,000 for IT infrastructure upgrades, \$150,000 parking kiosks, \$60,000 for façade and ADA compliance improvements at the police station and \$110,000 for commissioning an engineering study for building and systems citywide to plan for large expenditures like roofs and HVAC systems. Chief Kilcullen said the City's Parking Committee will be meeting on Wednesday at 5:30 pm to discuss the parking meters and taking an inventory of parking Downtown. The final guidance for how the ARPA money can be used is expected in March. However, the final ruling includes the ability for the municipality to use ARPA funds for payroll spent during the pandemic therefore creating \$4.4 million in unassigned fund balance that will have less strings attached on how it is spent. Chief Kilcullen said there has not been strong support from the Finance Committee for the COVID bonus. The next meeting of the Finance Committee is 5:30 pm on Tuesday.

Chief Kilcullen said the Legislative agenda with respect to law enforcement was discussed at the Chief's Association meeting last Wednesday. The following legislation is being considered: H635 which proposes to designate certain motor vehicle and pedestrian traffic violations as violations that may only be enforced if a law enforcement officer has detained the operator of a vehicle or pedestrian for another suspected traffic violation including: failure to carry registration certificate, failure to display registration sticker, obstructed license numbers, missing number plate on a trailer or semi-trailer, possession or consumption of alcohol or cannabis by an operator, using tobacco in a motor vehicle with a child present, no headlights or taillights. The Chief added that the

Chittenden's State's Attorney won't prosecute crimes that result from a pre-text stop. He discussed what constitutes a "pre-text" stop. S231 prohibits operation of vehicle with inadequate or modified exhaust systems or amplification device. H534 has to do with expunged records. H470 has to do with referrals to the Community Justice Center. S276 says if a license has been expired more than 3 years an exam must be passed and to issue a renewal license for an applicant 75 years of age or older, the applicant must appear in person at a department location and pass both a road and vision test. S254 has to do with ending qualified immunity for police which could impact retention and new certifications of officers. Qualified immunity is a legal defense available to all state and local government officials, not just police. It doesn't prevent officers from being sued but does offer some protection when it is a clearly established right.

Chief Kilcullen said the second watchguard presentation regarding body cams was Jan. 12, the Parking Committee met for the first time in January, Commander LaChance retired on Jan. 23 and Commander Delpha took over as Professional Standards Commander and oversees B.C.I. and Commander Sheldon oversees patrol and community outreach and serves as Executive Director of Project VISION. There are some changes in the works for the chain of command structure on a few assignments being reviewed by the City Attorney. Jason Williams has been covering as part-time dispatcher in addition to the firearms training.

Trainings

Officer Rice attended an 8-hour Recruiting and Hiring for Law Enforcement training, as well as, a Sexual Assault and Child Abuse Training to obtain his level 3 certification. Commander Delpha is attending a 40-hour training for Conducting Proper and Effective Investigations focusing on internal investigations.

Executive Session

At 7:45 pm Commissioner Romeo moved to go into Executive Session citing Title 1 VSA Section 313 paragraph 1(F) - confidential attorney client communication made for the purpose of providing professional legal services to the body. Commissioner Langston seconded. Motion passed 4-0.

Executive session exited at 8:16 pm.

Adjournment

Commissioner Flory moved to adjourn. Commissioner Romeo seconded. Motion passed 4-0.

Meeting called to a close at 8:17 pm.

Submitted by: Barbara Spaulding

cc: Chief Brian Kilcullen
Mayor David Allaire
Police Commission
City Clerk Henry Heck
Board of Aldermen
Union President Rick Caravaggio