

**Rutland City Police Commission**  
**April 11, 2022**  
**Amended**

Present: Chairman Sean Sargeant, Commissioners Tony Romeo, Luther Brown and Peg Flory.

Also attending: Chief Kilcullen, Commander Greg Sheldon, Cpl. Richard Caravaggio, Sgt. Lorman, Cpl. Elizha Heter, Pat Garcia and Crime Analyst Nathan Thibodeau.

Call to order by Chairman Sargeant at 6:05 pm.

**Approval of Minutes**

Commissioner Romeo moved to approve the minutes of March 14, 2022. Commissioner Flory seconded. Motion carried 4-0.

**Public Comment**

Pat Garcia of Baxter Street discussed several incidents that required the police to be called to her neighborhood. She asked if it would be possible to gather a group of people to speak to Sen. Leahy and Sanders regarding passing laws to penalize the owners of suspected drug houses or seize their properties. Both Chairman Sargeant and Chief Kilcullen explained the process of “civil forfeiture” and discussed the need of federal agencies to be involved. Chief Kilcullen asked Ms. Garcia to be patient as he couldn’t comment on an active investigation. He suggested she reach out to Cpl. Lucia for more information.

**Uniform Wear Test Results**

Cpl. Elizha Heter presented the results of the uniform wear test. The Uniform Committee wear tested pants and shirts from three vendors Flying Cross, 5.11 and Blauer and scored the uniforms from 1 to 7 in several categories. The Blauer pants and shirts scored the highest average with 5.5 and 5.2 respectively. Additionally, a jacket was wear tested from Flying Cross that scored an average of 5.2. Cpl. Heter said the Committee asks that the Police Commission support requesting both a summer and winter uniform to the Finance Committee despite this uniform not being distributed by Galls who has the current contract. Chief Kilcullen confirmed Galls is not a Blauer distributor. He said there will be some work to go outside the contract. Chief Kilcullen discussed the cost to outfit 26 sworn officers. The next step would be to contact the City’s purchasing agent and make a formal request to the Board of Finance. Chief Kilcullen would like to order the uniforms before the end of the current fiscal year. Commissioner Romeo moved to accept the recommendation of the Uniform Wear Test

Committee and ask the Chief to approach the Board of Finance to implement the uniform change as quickly as possible. Commissioner Brown seconded. Motion was approved 4-0. Sgt. Lorman will take the lead while the Chief is on vacation. Chairman Sargeant asked Cpl. Heter to provide Sgt. Lorman with a color copy of the wear test packet.

### **Communication from Union**

Cpl. Caravaggio said the big focus has been on completing the wear test. Chairman Sargeant said the draft PT Test that was put together by Eric will be reviewed this evening but a recommendation will more likely be made at the next meeting. He also said there will be an executive session this evening to review a confidential opinion from the City Attorney on the community service officer position.

### **Mapping Update**

Nate Thibodeau said he got a new computer and the mapping update will now include pro-active data and DUIs. He presented the Rutland City Police Department first quarter ended March 31 5-year average. The 3peat call volume average 2407 and for March 2022 it was 2348, a 2% increase from 2021. Directed patrols have gone down to 10 this year due to less police officers. The average 3peat at the end of March is 20%. Homicides 0, Robbery the five-year average is 4, 2022 3, Aggravated Assault five-year average is 10, 2022 5, Burglary average is 14, currently at 12 and Forcible Rape the average is 2, 2022 at 3. Automobile theft (car stolen) 5-year average is 3/currently 18, larceny from automobile average 14, currently at 59 (does not include catalytic converter theft), theft from buildings average 8/currently 15. Retail theft average is 28/currently 48. Nate said violent crimes are way down and larcenies are way up. Commissioner Brown asked if the larcenies from buildings were buildings in-use. Nate said more likely in-use with most being residences. The total larcenies are 81 in Jan, 61 in February and 80 in March with most being commercial, residential, state, hospital and empty lots. The top 10 items being stolen are personal belongings, merchandise, catalytic converters, monetary items, automobile, luxury items, electronics, groceries, alcoholic beverage, tools and gas. Larceny from motor vehicle 60% are unlocked and 24% are broken windows and 8% couldn't tell. Chairman Sargeant said if people locked their cars and didn't leave items in plain sight almost 70% of those thefts would be out. Nate said there is a very good recovery rate for automobile thefts of 70% but a majority of those are also unlocked vehicles. Nate continued with stolen weapons with 5 stolen in quarter 1 of 2021 and 6 in 2022 with the most common method being unlocked doors.

Nate provided overdose information for the end of March with 17, 16 non-fatal and 1 fatal. Last year there were 17 non-fatal and 3 fatal. Nate reported on the crack seized at

58.32 grams, heroine 43.15 grams and 1 gun seizure. He is hoping to get more proactive information going forward. Chairman Sargeant asked Commander Sheldon if John could put together a campaign through Project Vision asking people to lock their cars. Commander Sheldon said Mike Delehanty did a PSA about locking cars in the past that was successful and he will work with Emily and John to work on a campaign.

### **Commanders' Report**

Commander Sheldon said the Project Vision meeting will be held in-person on Thursday April 14 at noon. He and officers Rajda, Rice, Heter and Tavares will man a display booth at the AGC job fair at the Champlain Valley Expo to promote Rutland. The Subcommittee on Community Policing reviewed the Vermont Interfaith Action Group's guide with 11 considerations of "unacceptable behavior" which the police are already doing. He said some of the considerations were one-sided and inflammatory. Chairman Sargeant said he will forward copies to the Commissioners. Commissioner Romeo offered free booth rental at the Rutland Fair for officer recruitment. He also asked about whether Rutland should use unmarked cars to catch distracted drivers. Commander Sheldon said there are some unmarked cars out there.

### **Budget Report**

Chief Kilcullen reported that at 75% of the fiscal year, expenses are at 60% of the budget. Chief Kilcullen discussed the approval by the Board of Finance of the retention bonuses for 26 sworn officers of \$10,000 in two installments over the next year to be paid for out of the FY22 surplus. The other ARPA funding requests, not covered by the surplus, are still on the agenda for the Finance Committee.

### **Chief's Report**

Chief Kilcullen said he received correspondence from Allen Street School thanking the police response to vandalism there that totaled \$12,000-\$15,000. Commander Sheldon added that he spoke with Rob Bliss who said despite the shortage of officers, they have never felt a hiccup in service. Chief Kilcullen also received an email regarding a good experience with Sgt. Mosher who was "more than helpful" with an 8-year-old having significant issues. On March 16, the Chief, Commanders Sheldon and Delpha met with a representative from Sen. Leahy's office regarding the needs and concerns with federal resources. Most of the discussion had to do with the frustration at the state level and how grateful they are for the federal law enforcement resources especially the partnership with Homeland Security Investigations. The RPD did enter into an agreement with HSI for two officers to be on a task force which gives them federal credentials. The Parking Committee meeting was postponed until April 21 at 5:30 pm in the community room with a presentation planned from a couple vendors. On April 7 there was a shopping cart ordinance meeting at which the police were not obligated to

be involved. The process to change the ordinance goes to the full Board on Monday. Chairman Sargeant asked if offering foldable shopping carts was considered now that there are no bags. Chief Kilcullen said that was not discussed or added to the proposed ordinance. On April 20 there will be a Charter & Ordinance Committee meeting regarding the retail cannabis at 5:30 at City Hall. On March 17 Chad St. John was hired as a probationary police officer and he will be attending the Academy on March 21. Two candidates went through the assessment center last week and are now in background. There is another candidate in background that is signed up for the June level 2 class. There is a candidate in background for the dispatch position. While Chief Kilcullen is on vacation, Commander Sheldon will be Acting Chief. On April 30 the Police and Fire Departments will compete at the Real Rutland Feud at the Paramount Theater.

### **Trainings**

March 22 - Fair and Impartial Policing (FIP) training completed.

March 28 – April 1 - Officers Heter and Caravaggio attended FBI LEEDA Supervisor Leadership Institute Training.

April 5-7 – Spring firearms training for all sworn officers.

### **Review/Comment Physical Training Test**

Chairman Sargeant said the Chief suspended the current PT Policy due to it no longer being consistent with what the Academy and state police were using. He and the Union discussed redrafting Chapter 36 which is what is in front of the Commission tonight. Formerly, the PT Test was administered annually with the potential for opening an I.A. on an employee that did not pass the test. The new draft policy reflects the statewide changes and, after discussion with the Union, that the desired outcome of the policy was healthy employees. Chairman Sargeant suggested the Commissioners review the draft and be prepared to discuss at the next meeting for possible adoption. It has been re-written to be in line with the new Academy and state police standards and includes a rowing standard as an alternate. Testing will be twice a year instead of cramming for the test once a year. Another change is if an employee scores a higher fitness rating within their age band they are eligible for up to 32 hours of paid leave or 16 hours for each test. Chief Kilcullen discussed how injuries are covered while training for the test under the new policy with the change of the test to voluntary. Commissioner Romeo asked if the City Attorney has reviewed this policy. Chairman Sargeant said not yet.

### **Review/Comment Municipal Guidance for Cannabis**

Chairman Sargeant said he has been very vocal in meetings and in the newspaper, he does not think retail cannabis is right for Rutland at this time for a number of reasons. Commissioner Romeo thought it was strange that the Alderman unanimously did not pass medical marijuana. A meeting has been set by the Aldermen for 5:30 pm on April

20 to provide input into the proposed guidance by the state's cannabis control board. If other Commissioners would like to comment but can't attend, they can email their comments to Sean to be read at the meeting. He would also entertain setting up another Police Commission meeting before the April 20 meeting to discuss further. Commissioner Romeo asked if the Police [Commission] Chief will have a seat on the proposed local cannabis control board. Chairman Sargeant asked the Chief if he has to sign off when liquor licenses come before the liquor control board. Chief Kilcullen said when a liquor license comes from the clerk's office it gives the police an opportunity to weigh in on the character of the applicant. Nora produces a monthly report listing all licensees in the City and then prints out all reports for services for each of those establishments. The Chief reviews these reports when a liquor license comes before him. Commissioner Flory asked if someone is taking into consideration the fact that these are cash deals because the FDIC doesn't permit banks to handle these accounts and how this will affect the police force. Chairman Sargeant said some credit unions are allowing service but the account must be self-insured, the account fees are substantial and the account is not eligible for FDIC. Commissioner Romeo discussed the fines for smoking in restricted areas and whether there is a state's attorney who will prosecute people. Chairman Sargeant it will be a civil ticket and won't be a criminal offense.

### **Executive Session**

At 7:54 pm Commissioner Flory moved to go into Executive Session citing Title 1 VSA Section 313 paragraph 1F – confidential attorney/client communication. Commissioner Romeo seconded. Commissioner Flory invited Chief Kilcullen. Motion passed 4-0.

Executive session exited at 8:25 pm.

### **Adjournment**

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

Meeting called to a close at 8:25 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