

Rutland City Police Commission
September 13, 2021

Present: Chairman Sean Sargeant, Commissioners Luther Brown, Tony Romeo and Jeanette Langston.

Also attending: Chief Kilcullen, Commanders Greg Sheldon and David LaChance, Crime Analyst Nathan Thibodeau, Officer Tim Rice, Pat Hunter and Union President Rick Caravaggio.

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

Approval of Minutes

Commissioner Brown moved to approve the minutes of August 9, 2021. Commissioner Romeo seconded. Motion carried 4-0.

Introduction/Recognition of Police Department Members

Chief Kilcullen introduced those in attendance: Officer Dan Blanchard, Detective Tyler Billings, Detective Sean Maguire and Officer Tyler Travares.

Public Comment

Chairman Sargeant discussed a conversation he had with John Armitage regarding the theft of his unlocked bicycle in front of Wal-mart. Officer Rose responded but is on administrative leave. Mr. Armitage located his bicycle locked up at the Transit Center and was told not to remove it by Cpl. Alger when Mr. Armitage was unable to provide evidence of ownership. Mr. Armitage told Chairman Sargeant that he purchased a hacksaw and with the help of a lawyer friend removed the bike from the parking deck. Mr. Armitage is unsatisfied with the police response to the theft. Chairman Sargeant told Mr. Armitage that without proof that it was his personal property the police department can't facilitate a theft and that the response was appropriate and in line with training. Chairman Sargeant invited him to attend this meeting. Pat Hunter asked what would prove ownership of a bike. Chairman Sargeant said Cpl. Alger asked for the serial number which is etched on the bottom bracket. Commander Sheldon suggested taking a cell phone picture of the bike's serial number on the bottom pedal. He added that there are stickers to register bikes that are put in the police department computer system. Commissioner Langston suggested making this a Facebook post to tell the public.

Commissioner Langston discussed reporting what was believed to be drug activity at the building across from the Lincoln Place project, the former IHM school. She is concerned

for the population coming out of homelessness that will be permanently residing at Lincoln Place. She called the desk, not 911, and described activity she had witnessed on the street and at the house. She was told what she had reported was not illegal. She followed up with Chief Kilcullen. Commissioner Langston said with the neighborhood watch program being discussed with Project Vision, she would like to know how to report suspicious activity and what is the follow up to these calls. Chief Kilcullen said generally when complaints are received regarding a particular address with activity that is indicative of drug activity, the complaint is assigned to the sector sergeant who determines if at that address there is an on-going investigation. If one is being done to follow up with that agency. If there is no investigation being conducted then the following steps are taken: identify and contact the landlord, identify the tenants, and then come up with a plan to address the activity. There will be a record if a car is dispatched following a call. In this case, no one was dispatched and there was no communication at that time. Commissioner Langston said for the neighborhood watch program we will be asking people to commit a lot of time for training and volunteering to report what is seen so it will be necessary to know that all of that effort will be valued and used. Chief Kilcullen said he wants people to contact dispatch if they witness any suspicious activity and it is the dispatch response to take the information and communicate it to someone else to determine whether if it should be acted on. There will be some questions asked in relation to the Fair and Impartial Policing Policy. Chief Kilcullen added that it is their hope that the presence of a neighborhood watch program will deter some things and hopefully identify things to which the police have the resources to respond. Commissioner Romeo said the Police Commission used to meet quarterly in the four sections of the City and perhaps this should be reinstated to allow the public to meet with the Commission and officers instead of attending at the police station. Chief Kilcullen said the sector sergeants also ran meetings in their sectors prior to COVID.

Commissioner Langston said she is concerned with the number of open positions in the police department and wants to know how she can help. She did attend a good meeting with Officer Lorman and CEDRR regarding their recruitment program. Commissioner Langston inquired about why officers have left and what can be done regarding officer retainment in the current climate and COVID. She also asked about restructuring office work that could be done by civilians to free up trained officers. Chief Kilcullen said contract negotiations began in May and some internal issues came up that needed to be addressed prior to signing a contract. There were two MOUs to change provisions in the contract. The first MOU covered overtime and the second MOU covered shift differential, increased the on-call pay for detectives and provided a one-time recognition bonus. There was a meeting on Thursday to discuss the issues that cause individuals to leave and whether there has been a conversation with individuals

contemplating leaving. The group, consisting of the Chief, Commanders, Rick, Adam and some Sergeants, created a list of ways to boost morale that included: a formal award ceremony in the fourth quarter and also in May, an area in the station for officers working long hours to take a break, looking for part-time employees with level three certifications, reallocated resources to cover shifts, swing shifts for gaps in staffing, \$500 recognition bonus as a separate check, improving the physical appearance and condition of the building and new equipment for dispatchers. He discussed the challenges with the level two and level three certifications. Chief Kilcullen discussed a staff appreciate night to be held quarterly. Commissioner Langston asked if officers have an avenue to discuss feeling unappreciated. Chief Kilcullen said no formal structure exists and that is why the working group was formed. Commissioner Langston inquired about team building exercises. Chief Kilcullen said there is nothing in place at this time. Commissioner Romeo asked if exit interviews were conducted with officers before they leave adding that in the past, he sat in on a couple of them and this allowed officers to speak freely. Chairman Sargeant said he will speak to the City Attorney to make sure there are no labor laws that prohibit exit interviews with the officers as he would be more than happy to reinstate the process as it would be helpful.

Commissioner Langston discussed encouraging social workers to enter law enforcement. She also asked if there is something that can be done to demonstrate the culture at the RPD as being supportive of different genders and cultures. Chief Kilcullen said the recruitment information that is used does not identify the sexual orientation of the people in the photos and asked for a suggestion. Commissioner Langston said she doesn't have a suggestion just that the person she talked to felt that way due to the traditional culture of policing. She suggested meeting with social workers in the area and having a conversation as a source of future recruitment. Commissioner Brown said it is a tough issue in terms of having respect for individual differences and their decisions on whether to pursue a particular kind of employment. Commissioner Brown asked if people working two different jobs would hinder retaining officers. Commissioner Romeo discussed the benefit to officers to have an outside interest or occupation and the inability to do so currently. Chairman Sargeant said we have never denied a request for outside employment in the past 10 years.

RPD Uniform Subcommittee

Officer Rice reported out the decision by the working group regarding the load bearing vest. The recommendation to the Commission is to go with the vest that is currently being used due to utility, people are already using it, and the research shows it is a better product. Officer Rice showed the vest that Officer McGuire is currently using and said it costs a little more but it is a better product. The vest allows the wearer to adjust the pouches to their individual needs, they are made for male and female sizes and

Point Blank, who makes the internal ballistic vests, would also take the measurements for the carrier vests so that it is made for the individual's body. He added that the public is used to seeing these vests so it's not introducing something new. Chairman Sargeant asked where the ballistic panel is worn. Officer Rice said inside the carrier vest. He added that the panels are suspended inside so they don't ride up and fit a lot better. Officer Rice discussed the reflectiveness of the panels. He said the vest company will work with Galls to streamline the process. Chairman Sargeant asked if the committee discussed shirts and pants. Officer Rice and Detective Maguire discussed the color choices for the vests. Detective Maguire said there are 5 officers currently wearing the vest and it will be an option for all officers. Officer Rice said the turn around is a couple weeks. Chairman Sargeant asked if training will be needed with regard to relocation of magazines or tasers. Chief Kilcullen said officers will have to requalify if the vest is chosen through a course to demonstrate proficiency with items on the vest. Commissioner Langston asked if this is efficient at this time. Chief Kilcullen said Officer Lorman will have to arrange that for the fall depending on the timing for procuring the vests. Commissioner Brown asked if each officer will be allocated a single vest. Chief Kilcullen said it's not the solution for everyone but officers will be polled to find out their preference. Officer Rice said there are always two options available until the vests are delivered. Chief Kilcullen said as for the uniforms, they are going to wear test a few options from the Galls vendor. Commissioner Romeo moved to accept the recommendation of the subcommittee and authorize the administration to develop and implement a roll out plan. Commissioner Langston seconded. Motion carried 4-0. Officer Rice thanked the Commission for their consideration and approval.

Communications from the Union

Union President Rick Caravaggio thanked the working group on finding ways to improve morale and retention. He is working on a way to streamline communication for those not comfortable talking directly to their superiors. In addition to COVID and the protest culture there have been 3 officer-involved shootings and he has seen the need manifest for improvements for officers.

Commanders' Report

Commander Sheldon distributed copies of the Project VISION revised committee structure, meeting schedule and the modified and updated strategic plan. There will be a community engagement walk on Sept. 22 at 5 pm on Baxter and Cleveland Avenue. Pat Hunter delivered fruit platters to the shift as part of the community policing and engagement committee. He read out loud the letter from Pat Hunter that was included with the platters thanking the officers and in support of the work that they do. Officer Rosario and the Chief worked the fair every night and Friday Night Live. Commander Sheldon also reported that Officer LaGuardia is back in the schools. Chairman Sargeant

asked if the Non-Opiate Subcommittee has to do with health issues not related to opioids. Commander Sheldon said the chair of that subcommittee explained that while opioids got the notoriety needed in the medical industry to help resolve those issues, cocaine, alcohol and other illicit drug use didn't. This subcommittee was formally called the heroine epidemic committee.

Commander LaChance said two more interviews are with the Chief now that may be sent to background. A couple more applications just came in and those interviews will be scheduled. Depending on the results of the PT, there may be two candidates for the October academy. Commissioner Langston asked if Officer Lorman was able to post on the website. Commander LaChance said the website has been updated and Sgt. Plemmons will be meeting with the Stafford student who is working on the video. Ryan Ashe has left BCI which leaves a big hole in the TPAC representation. Chairman Sargeant said he did not update the Temporary Detention Policy but will try to get Commander LaChance a draft. Commissioner Brown asked if there was a pattern to where the applicants were referred or learned about the positions. Commander LaChance said a lot are through a friend or relative, there are very few that are through an online service. Chief Kilcullen said Sgt. Lorman reached out to Police App and did get a contract which has been forwarded to the City Attorney. He has spoken with other chiefs that have had some success with it. Commander LaChance said it has always been difficult to keep up with the number vacancies and he discussed the difference between social work and law enforcement. Commissioner Langston agreed that it takes a very specific personality for law enforcement that is capable of doing it and doing it professionally. Commissioner Romeo asked if they have reached out to military recruiters who may have a list of recently discharged servicemen that may be interested in law enforcement. He suggested setting up a relationship for referrals.

Mapping Update

Nate Thibodeau presented the Rutland City Police Department August YTD comparison. He said the 3peat percent of call volume is 12% for August. The busiest time of day is between noon and 3 pm and the busiest day is Monday. The YTD comparison for August 31, 2021 call volume is 7,253, with the YTD average 7,710, directed patrols average is 563 with the current number at 652. The YTD Call volume for Larceny (all other) is 69 and currently there is 77; Larceny Shoplifting the average is 74 and 2021 at 82; Aggravated Assault the average 35 and 2021 at 29; Breaking Entering Force the average is 30 and 2021 at 52; No force the average 19 and 2021 is 8; and Robbery the average at 5 and 2021 at 15. Nate continued with Motor vehicle larceny the average 50 and 2021 at 94 which is mostly from unlocked vehicles. Larceny from Building the average 34 and 2021 at 30 and Larceny Bicycle the 5-year average is 15 and 2021 is 12. Larceny pickpocket the average is 3 with 2 in 2021 and Larceny purse snatching is 3 YTD average

and 0 in 2021. Overdoses the 4-year average is 35 with 48 in 2021. There have been 5 overdoses this week. Chairman Sargeant asked if there was a spike in the regional data. Nate said he hasn't look at that but he has reached out to other agencies to see if they are seeing the same. There have four fatal overdoses this year. Arrest information for Larceny (all other) total cases is 27 with 15 arrests; Shoplifting is 82 with 48 arrests; Aggravated Assault total cases is 29, Breaking Entering Force 52 cases with 6 arrests, B&E no force is 8 with 3 arrests; Robbery is 15 cases with 4 arrests. The Mapping Update shows thefts from motor vehicle mainly concentrated in Sector 1 and Sector 3. Breaking Entering and Aggravated Assaults mainly in Sectors 1 & 2. Commissioner Langston asked if there had been any education regarding locking car doors. Nate said he did put something on Facebook and press releases. Chief Kilcullen said flyers were also put up. Chairman Sargeant asked if the man charged with manslaughter had been released home. Chief Kilcullen confirmed that Mr. Richardson is home. Nate suggested that instead of calling to report suspicious activity anonymously, someone could google "Rutland Tip Submit or Tip Soft" which he collects and disseminates to the sergeants. Commissioner Langston said this would be good to share with Project VISION and might be an option for Pat Garcia.

Budget Report

Chief Kilcullen reported that as of 16.6% of the fiscal year, expenses are at 15% of the budget which includes spending 29% of the overtime budget.

Chief's Report

Chief Kilcullen said most of the calendar is taken up with bargaining sessions on August 10 and 27 and Sept. 15. Ryan Ashe resigned and is going back to law enforcement in New York. Sgt. Dickerson has been reassigned to patrol after the retirement of Sgt. Williams. There is one communications operator position open and one has been filled. If the officer who is out returns unable to work full-duty he is interested in the open position. Commander LaChance has finalized the corporal promotion process and union negotiations are ongoing.

Trainings

Use of Force Policy training for all sworn officers by October 1. Officers will be sent statewide for the 3-hour block of training for sworn personnel and 6 hours for supervisors and administrators. It will also be made available through YouTube.

Sept. 27-29 - Officer Caravaggio and Rajda will be attending an Officer Field Training in South Burlington.

Oct 19-21 - Department will go through our Use & Force Tactics annual refresher.

VT Worker Relocation Program - \$7,500 if someone relocates to Vermont to work in a targeted occupation. The Department of Public Safety determined the state has a law

enforcement staffing crisis but it is not considered a targeted occupation. ACCD said the parameters are set by the Legislature. Chief Kilcullen suggested asking our legislatures why law enforcement was not considered a targeted occupation.

Response to Resistance Policy Review, Comments and Discussion

Chairman Sargeant said there are sections that he does not like but our hands are tied. Chief Kilcullen said when chokeholds were banned except when deadly force is authorized, Vermont considered them banned even when deadly force is authorized. The new policy states a law enforcement officer shall not use a chokehold on a person unless deadly force is justified pursuant to 2120 VSA. Another departure is in Appendix A Statewide Use of Force Policy on Lethal Force Post Incident Procedures and Statewide Policy on review of body worn camera recordings following lethal force. Section K states that involved officers shall not be allowed to view their body worn camera footage prior to being interviewed by the major crime unit, nor will they be permitted to review any other reports of the incident or be described by others. The VLCT feels strongly that officers should be allowed to view video and now they can't, the new policy is contrary to what has been advised by the lawyers. Chief Kilcullen said if the policy is not adopted in its entirety shall result in limitation of state funding and training for the agency and goes into effect Oct. 1. Commission Romeo moved to authorize the Chair to sign the new Response to Resistance Policy. Commission Langston seconded. Motion carried 4-0.

Commissioner Langston asked if there is anything that can be done as a Commission in support of Officer Rose. Chairman Sargeant said Officer Rose has asked not to be contacted and as a Commission his wishes should be respected.

Adjournment

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

Meeting called to a close at 7:55 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