

**Rutland City Police Commission**  
**September 14, 2020**

Present: Chairman Sean Sargeant, Commissioners Tony Romeo, Tom Calcagni and Luther Brown.

Also attending: Chief Kilcullen, Commander Prouty, Alderwoman Lisa Ryan, Commander Greg Sheldon and Commander David LaChance.

Call to order by Chairman Sargeant at 6:01 pm.

**Approval of Minutes**

Commissioner Calcagni moved to approve the minutes of March 9, April 13, June 8, July 13 and August 10, 2020. Commissioner Romeo seconded. Motion passed 4-0.

**Introduction/Recognition of Police Department Members**

Corporal Eric Morgano was sworn in. Due to his absence Patrol Officer Dan Blanchard's induction was postponed to the next meeting.

**Public Comment**

Jeanette Langston spoke regarding her interest in the vacant seat on the Police Commission. She has submitted her credentials to Mayor Allaire for consideration. She spoke to her background with the U.S. Forest Service, fire and rescue, as well as other related experience.

Chairman Sargeant said he has had no calls from the public other than for the minutes to be posted.

**Commanders' Report**

Commander LaChance said background checks are pending for two new police officers. The records clerk position is frozen until October. There is discussion to reopen City Hall. Chief Kilcullen confirmed the reopening is expected at the end of month. Commander LaChance continued formally thanking Sgt. Whitehead for getting the State Police to come in to put on an Evidence Collection and Management Class. The next training will be training and major crimes. Detective Plakas is expected to meet with State's Attorney Kennedy to sign off on the death investigation. Officer LaGuardia was thanked for his work on the first day of school meeting with students, teachers and parents. STOP grants have been approved.

Commander LaChance has been working on reviewing the traffic stop data. He discussed the findings of the report regarding missing information for sex and race. Of the 2,118 numbers, not all are stops, they are tickets or warnings issued. The actual vehicles stops were 1,900. There were 42 tickets with information missing. If 4 tickets are issued at a single stop that is one stop not four stops. Therefore some of the missing information was duplicated. Two of the tickets were for municipal violations. There were 31 with missing information, of those 23 were missing race data. Chairman Sargeant asked for clarification regarding how the missing information was determined. Commander LaChance explained that the information was on the ticket but the data was not entered. The missing information has been updated into the Excel spreadsheet that is being maintained. Chief Kilcullen further explained that the assumption was that the missing data was not collected. However it was collected just not inputted. Chief Kilcullen added that this information was provided by statute to Prime Research Group after September 1. If he had known this was going to be for a serious research project we would have more diligently reviewed what was provided and researched the missing information. Chairman Sargeant discussed his frustration with the Police Commission not being involved with the research upfront and having to react to the missing data. Chief Kilcullen said they have reached out to the Dept. of Public Safety regarding how the system's data collection is not transferred to the citation table. There are some fields on the ticket that are not statutorily required. Once the errors were identified it was addressed with the department so that more meaningful data was analyzed. Commander LaChance said that in the end only 5 out of 1800 tickets were missing data over the last calendar year. They belonged to 1 new officer who had 3 tickets and 2 other officers.

Commander Sheldon said roll call trainings are starting in October for each shift twice a month. Sgt. Lucia will be doing a DUI refresher roll call training and ACO Jones doing a roll call training. We are in the process of printing a new RCP reporting form, waiting on a proof and quote. There were PT tests at the end of the month and firearms qualifications first week in October. One of the dispatchers offered to do department photos. Work continues at the Police Academy on Leadership and Development Courses. Shout out to the patrol division covering with two officers out and short all shifts.

Chair Sargeant asked if the Police conduct pretext stops. Commander Prouty described when pretext stops are conducted. Chief Kilcullen added that it gives you the authority to stop motorist to address an offense or infraction because you observed a traffic infraction but you are using it to further your investigation of suspicious activity. Pretext stops are authorized but historically there was a problem that created a negative connotation. The assumption in the report is a particular category of stops were pretext

but without additional information we can't tell if it was a pretext stop. Commander Prouty said not every defective equipment stop is a pretext stop and sometimes it's the basis of building a case.

A member of the public asked why wouldn't there be a record of pretext stops. Commander Prouty explained there is no way on the ticket to note the correlation of an investigation without giving up intelligence information or a confident informant. There is no way to do that and protect sources. He went on to describe possible scenarios that could be interpreted as pretext stops but are not. It could have been proactive motor vehicle work.

Commander Prouty said he is back from Mississippi where he attended National Guard training. He thanked Sgt. Dickerson who did a great job continuing while he was away. The Community Response Team held a Youth Engagement Pop Up and Sgt. Dickerson has taken over as Youth chair with Caprice Hover of the United Way. Project Vision has asked about the lead-in time for the pop-up events. Those events are not posted early to control attendance in those neighborhoods in order to stay socially distant and not cause an issue with community health safety. In the neighborhood engagement side the subcommittee leadership has changed to Co-chairs Alis Headlam and Cindy Fortier and a community walk was done while Commander Prouty was away. A Park Walk and Talk was recently done distributing an information flyer in the Southeast section of the City. The walk started at Whites to Southern Blvd and some nice connections were made with people asking to be added to the list serve. Chair Sargeant asked that the Police Commission be invited to the next event. Commander Prouty said he would let the Commission know the date of the next park walk. The first Community Policing Subcommittee met on August 5. He has not followed up yet but is creating a list serve for that committee and will provide a it with copy of the President's Task Force on 21<sup>st</sup> Century Policing. Of the 6 Pillars, they will focus on four: Building Trust and Legitimacy, Technology and Social Media, Community Policing and Crime Reduction, and Training and Education.

S124 which is Senator White's senate bill on police operations that has a lot to do with dispatch and state regulation of oversight from interest groups and hiring. Commander Prouty took issue with that saying the oversight should be local input from communities. With regard to personnel, Jon has done a great job holding down the fort while Commander Prouty was away and Bradley has accepted a job working for the research group contracted through the Department of Corrections. Funding was received for the VOCA Case Manager Megan Clark who is doing a phenomenal job working with social service providers and a very difficult population.

Commissioner Calcagni asked if Bradley Goodhale was no longer an employee and if so who will fill his position. Chief Kilcullen said the job was posted internally first per Union rules and externally next week.

### **Chief's Report**

Chief Kilcullen said the Chief's Association has been fairly quiet with issues regarding to COVID. A thank you for dedication and commitment to the community was received from a local church; a local business hosted a barbecue at the station on August 14 for employees; and a local business donated a large amount personal protective equipment for the police, fire department and city wide. Two new SUVs have been received which were registered Friday and are in the process of being outfitted. Two older vehicles will be repurposed and taken off line. Bradley did tender his resignation effective this past weekend and the position has been posted internally and will be posted externally. The records clerk position will be kept open due to COVID for the first quarter of the year July – September. A resignation from Police Officer Avery Schneider was received. Due to non-work related commitments she felt it was best to go another department. The resignation is effective as of today.

### **Trainings**

Both Commander Sheldon and Corporal Plemmons were in Pennsylvania for a Surviving Verbal Conflict and De-escalation training. They stayed a few extra days to go through the trainer component so they could bring the training back to the rest of the department. During the first 3 weeks of August, that training was completed by the whole department. Upcoming trainings include an online Mandatory Domestic Violence Update for all sworn personnel; Advanced Roadside Impaired Driving training required by Detective Plakas and Officer Billings; Firearms Training first week of October for all sworn personnel; Rifle Familiarization Course will be conducted on Sept. 24 for Officer Blanchard; and PT testing will be done on Oct. 29 and Nov. 21.

### **Budget Report**

Chief Kilcullen reported that as of the first two months of FY21 expenses are in line with the budget.

Chair Sargeant introduced Barbara Spaulding as the new recording secretary for the Police Commission.

### **Executive Session**

At 6:52 pm Commissioner Romeo moved to go into Executive Session under Title 1, Chapter 5, Sub- chapter 2, Section 313, paragraph 4 disciplinary action or dismissal

action of a public officer or employee. Commissioner Brown seconded. Motion passed 4-0.

7:30 pm Exit Executive Session.

At 7:32 pm Commissioner Calcagni moved to enter Executive Session under 1 VSA section 313 paragraph 1A, discuss a contract. Commissioner Brown seconded. Motion passed 4-0.

7:40 pm Exit Executive Session.

Commissioner Calcagni moved to reappoint Brian A. Kilcullen as Chief of Police of the Rutland City Police Department through September 20, 2025 pending the City's final approval of an Employment Agreement for the same. Commissioner Brown seconded. Motion Passed 4-0.

### **Adjournment**

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

Meeting called to a close at 7:41 pm.

Submitted by:

Barbara Spaulding

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