

Rutland City Police Commission
October 11, 2021

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

Also attending: Chief Kilcullen (via phone), Commanders David LaChance and Sam Delpha, Crime Analyst Nathan Thibodeau, Pat Hunter and Union President Rick Caravaggio.

Call to order by Chairman Sargeant at 6 pm.

Approval of Minutes

Commissioner Romeo moved to approve the minutes of September 13, 2021.
Commissioner Brown seconded. Motion carried 4-0.

Public Comment

Chairman Sargeant discussed a conversation he had with a member of the public, from a blocked number, reporting a shooting at the far end of Park Street and who was not happy with the response by the police. Chairman Sargeant followed up with Nate, who was on vacation. and Commander Sheldon. Commander Sheldon already had an officer responding. Commander LaChance confirmed the incident did happen in the City and an individual was found who was advised of the ordinance and there have been no further complaints.

Commissioner Brown discussed receiving an email from the Rutland Herald asking why the police don't use body cameras. He hasn't responded pending discussion with the Commission. Chairman Sargeant said he and the Chief received an email from Seven Days and they called the interviewer who ran an article recently. They have not received a request from the Herald to discuss body cams. Chairman Sargeant said they are going to refresh the quote for body cam technology so that the Mayor will have it by the time the budget is submitted to the Board of Aldermen. The Mayor will then consider whether to include the technology in the FY23 budget. Chief Kilcullen said he reached out to Sgt. Lorman who is currently working with the City's purchasing agent to determine if the pricing is under state contract or whether it would need to go out to bid. Sgt. Lorman will check in with Sara when he returns to work. Chairman Sargeant asked the Chief if the quote would be from Axon or Watchguard technology. The Chief said it would depend on whether it's under state contract or which is more compatible. He added that there is a full suite of case law and policies in the State of Vermont that protects the public in the presence of body cameras. The Chief added that there is a

modal policy now that he needs to check back with the Secretary of State's office regarding records retention and whether the position is that retention is indefinite.

Pat Hunter thanked everyone considering being short-staffed and stated her appreciation.

Communications from the Union

Union President Rick Caravaggio said the Union is wrapping up negotiations with the City. He said there hasn't been any official polling regarding body cameras but he doesn't expect any push back. Commander LaChance said the cost of storage is a big issue.

Commanders' Report

Commander Delpha said PT is coming this week and getting ready for the Halloween parade.

Commander LaChance said there is an applicant who has passed background but is struggling with the PT test. The Police Academy has allowed PT testing 3 times weekly up until the date of the academy. There are 3 applicants in background who would be eligible for the spring academy. Four applicants were received last month and none of them passed. There is an interview assessment scheduled for Wednesday. The corporal test was held on the 30th with 6 candidates. The results were sent to the Chief. There will be an award ceremony in December for which preparations are being made. The promotional video for the department, with Gauvin Owens, is on-gong.

Chairman Sargent asked if they were advertising in the last month on any different platforms for the vacancies. The Chief said no but they will be more aggressively recruiting with the recruitment video on a different platform. He added that Sgt. Lorman is working with Commissioner Langston and Lyle Jepson to recruit through the Chamber.

Mapping Update

Nate Thibodeau presented the Rutland City Police Department September YTD comparison. He said the 3peat percent of call volume is 28%. The busiest time of day is between 2 and 5 pm and the busiest day is Wednesday. The YTD comparison for September 30, 2021 call volume is 8,295, with the YTD average 8,695, directed patrols average is 643 with the current number at 670. For the September comparison the average is 986 with the current number at 1,042 which is a 19% increase from the previous year. The YTD Call volume for Larceny (all other) is 75 and currently there is 85; Larceny Shoplifting the average is 86 and 2021 at 91; Aggravated Assault the average 38 and 2021 at 32; Breaking Entering Force the average is 38 and 2021 at 64; No force the

average 22 and 2021 is 10; Robbery the average at 4 and 2021 at 15. Nate continued with Motor vehicle larceny, the average 55 with 2021 at 94. Larceny from Building the average 39 and 2021 at 37, Larceny Bicycle the 5-year average is 18 and 2021 is 18. Larceny pickpocket the average is 3 with 3 in 2021 and Larceny purse snatching is 3 YTD average and 0 in 2021. Overdoses the 4-year average is 41 with 57 in 2021, the last occurred on 10/6. Fatal overdose so far is 6. Chairman Sargeant asked if the overdose trend is consistent with the region. Nate confirmed that there has been a surge in the regional data. Arrest information for Larceny (all other) total cases is 85 with 16 arrests; Shoplifting is 91 with 56 arrests; Aggravated Assault total cases is 32 with 32 arrests, Breaking Entering Force 64 cases with 6 arrests, B&E no force is 10 with 3 arrests; Robbery is 15 cases with 4 arrests. The Mapping Update shows thefts from motor vehicle mainly concentrated in Sector 1, Breaking Entering in Sector 1 and 2. Nate added that the burglaries are split between commercial and residential properties with the commercial burglaries concentrating on tools, cigarettes, safes and cash. The residential burglaries were for electronics, firearms and cash as the primary targets. He found that 74% of the commercial properties were secured and 26% not secured. The residential properties were 40% unsecured and a little more than 31% of cases where nothing was stolen. He said in 46% of the residential burglaries the victim knew the suspect. Nate said he is also tracking stolen weapons with 23 so far and the biggest problem is unlocked vehicles with 64% of the cases from an unlocked vehicle.

Chairman Sargeant asked how to dispose of firearms. It was suggested that to take them to Cragins.

Budget Report

Commander LaChance reported that as of 22.9% of the fiscal year, expenses are on par for the first 4 months.

Chief's Report

Commander LaChance said there is an outside employment request from Ryan Brady to be an on-call substitute school bus driver for two hours weekly at Betcha Transit. He hasn't been hired yet but doesn't want to pursue the training if the request is denied. Chief Kilcullen asked when he would drive a bus. Commander LaChance said it would be for 0-2 hours for special events and not during his regularly scheduled days. Commissioner Brown moved to authorize the Chair to sign the request for 0-2 hours a week as a substitute bus driver outside normal working hours. Commissioner Romeo seconded. Commissioner Calcagni asked about the potential for increased hours. Chairman Sargeant said the Commission would have to revisit the discussion if that happened. Motion carried 4-0.

Commander LaChance reported on the Chief's September calendar as follows: Sept. 15 meeting with Rutland Mental Health Services and union negotiations, Sept. 16 department head and Board of Finance meetings, Sept. 24 Microsoft Team meeting, Sept. 30 department head and HTRC meetings. October meetings include Oct. 5 Mark Stockton and Halloween parade meetings, Oct. 6 Project VISION discussion, Oct. 7 steering committee meeting and Oct. 12 Rutland Mental Health Services meeting and CCN Strategic Discussion. There is one open communications officer position. Chairman Sargeant asked if there was a venue chosen for the December award ceremony. Chief Kilcullen mentioned the Lincoln Place facility which is set up for community meetings or the gym at the Athletic Facility. Commissioner Calcagni asked about the Paramount Theater. Chairman Sargeant said the theater is too big of a space in his opinion.

Trainings

Sept. 27-29 - Officers Caravaggio and Rajda attended Officer Field Training.
Sept 27 – Chief Kilcullen and Commander Delpha participate in the Use of Force training.
Oct. 1 - Use of Force Policy training for all sworn officers.
Oct. 4-7 CPR and First Aid training for all sworn officers.
Oct. 14 – B.C.I., administration and VISION have CPR/First Aid training.
Oct 19-21 - Use & Force Tactics annual refresher for all sworn officers.
Oct. 25-28 – Firearms training for all sworn officers.
Nov. 12-17 – DUI Certification at VPA for Officer Rice.
Two from B.C.I. and Officer Klementowski attended the Child Forensic Interview Training in Killington this past week.

Chief Kilcullen added that since COVID the Police Academy classes had been capped at 36 new officers with a waitlist after that. The Pre-Academy PT is typically given a week before the academy for those 36. If any of those candidates didn't pass the PT then the Academy would move through the waitlist. This year Chief Kilcullen was asked whether he supported continuing to test any candidate who hadn't passed the pre-academy PT and although he does support that he asked what that meant for those on the waitlist. The director responded that there is no cap so our recruit can be tested again this Friday and the hope is this individual will pass the test in time for the academy. Chief Kilcullen also mentioned to the director that for those participating in PT, representatives could not encourage candidates during the PT test. This has been changed and now allows for encouragement by the representatives.

Chief Kilcullen also discussed the masking mandate instituted by the Mayor for City employees.

Commissioner Brown asked if officers are allowed to provide feedback as to the effectiveness of the training or if the effectiveness is evaluated. Commander LaChance said generally the training is for the duties for which officers are responsible and officers do report on whether a training is good or not.

Temporary Detention Policy Review, Comments and Discussion

Chairman Sargeant said there two additional policies that need updating in conjunction with the Temporary Detention Policy. The first is the Inventory Search Policy which instructs officers as to when and how to search the personal belongings of a person in custody. Commander LaChance said we don't have this policy and discussed how searches are done for contraband or weapons. This has to happen immediately. It has been determined that following an arrest there is no longer a threat and a search warrant is needed. If baggage is brought into the department with an inmate who is lodged, the department is storing the baggage and its contents which is a concern. In the case of someone being pulled over, if the car is towed the inventory search is intended to protect an agency from someone who claims to have a Rolex in the car. Commander LaChance discussed an incident in 2017 and a conversation with Atty. Wasak who suggested an Inventory Detention Policy that includes the following practice. If an officer suspects drugs, weapons or evidence of crime a search warrant is obtained. If not, an officer has the right to inventory the bag and if during the inventory search the officer suspects criminal activity they stop and get a search warrant. He suggests limiting intake of property like bikes. Commissioner Calcagni asked if an inventory search is done in front of a camera. Commander LaChance said if it's done in holding there is a camera and agreed it should be done in front of a camera. Commander LaChance said in Section E of the Temporary Detention Policy it states that in accordance with the Inventory and Inmate Property Directive, so both would have to be fixed. He added that an option would be unless the baggage or property was already searched instant to the arrest and we know it is clear, it is not allowed in holding. This is not anything new but it needs to be tweaked. Chairman Sargeant said he and Commander LaChance will continue to work on this.

Chairman Sargeant said he also working with Commander Delpha regarding the current detention policy which states that it is recommended that officers secure their weapons before entering the area and in the proposed policy it states they shall secure their weapons.

Chief Kilcullen wanted to thank all the members of the department for the work they are doing to continue to provide the level of service to the community that they deserve and expect without having to curtail patrol shifts as it's a testament to the department. He also thanked the Community Policing Subcommittee of Project VISION who have

provided some snack trays and encouraging notes over the past few weeks. Lastly, Chief Kilcullen requested to carry over up to 104 hours of vacation time into FY22. Commissioner Calcagni so moved. Commissioner Romeo seconded. Motion carried 4-0.

Executive Session

At 6:53 pm Commissioner Romeo moved to go into Executive Session citing Title 1 Section 313 paragraph 4 - disciplinary or dismissal action against a public officer or employee. Commissioner Calcagni seconded. Motion passed 4-0.

Executive session exited at 7:27 pm.

Adjournment

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

Meeting called to a close at 7:27 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