

**Rutland City Police Commission
December 11, 2023**

Present: Chairman Pat Brougham, Commissioners Luther Brown, Tony Romeo, Peg Flory and Alis Headlam.

Also attending: Chief Kilcullen, Commanders Whitehead and Prouty, Ryan Brady, Nate Thibodeau, Union Rep Tyler Billings, Dave Allaire, Probationary Officer Nick Fontana, Sgt. Jason Williams and Pat Hunter.

Call to order by Chairman Brougham at 6:04 pm.

Approval of the Minutes

Commissioner Flory moved to approve the November 13, 2023 minutes. Commissioner Brown seconded. Commissioner Headlam discussed items that she felt were omitted from the minutes. She said there was a concern from the Highland Avenue Extension neighbors that the street was being used as a bypass. Commissioner Romeo said there is an active investigation in that area and that is why the discussion was left out. Commissioner Headlam said Matt's discussion regarding Angela French as the outreach connection from Rutland Mental Health was also left out. She also suggested adding that Commander Delpha was designated as the contact person for the Bellevue Avenue issues and that Bob Amelang was going to be the community liaison. Commissioner Flory amended her motion to approve the minutes with an amendment to include "and surrounding areas" after Bellevue Avenue under Public Comment, as well as, the other items brought by Commissioner Headlam. Commissioner Brown seconded. Motion was approved 5-0.

Introduction/Recognition of Police Department Members

Chief Kilcullen administered the oath of Detective Corporal to Tyler Billings and the oath of Probationary Officer to Nicholas Fontana. He noted a nice turnout from the department.

Public Comment

Dave Allaire welcomed Pat as the new Chair of the Police Commission and wished her well. He also said he was proud of the work the RPD has done within their numbers.

Pat Hunter introduced herself as the Co-chair of Project VISION Community Committee.

Communication from Union

Cpl. Tyler Billings, Vice President of the Union, discussed the on-going wage negotiations and said there are several grievances that the Union is moving forward.

Commanders Report

Commander Whitehead said Officer Nick Fontana recently graduated from the Police Academy and is currently assigned to nightshift 2 for field training. Level II Certified Officer Sean Olsen moved from dayshift to nightshift to continue his training. Cpl. Tavares and he just finished teaching taser training at the Police Academy. The year-end evaluations were handed out to patrol officers and they should be completed by the end of the year. Shift assignments have gone out for 2024. Dispatcher Crystal Murray welcomed a baby boy. There is a Use of Force Training make-up day on Friday Dec. 15 at the Academy and Ashley Tuttle, who currently works full-time as a dispatcher in Manchester, recently applied for part-time dispatch. Katrina Williams Ducharme will also start as part-time police officer on Dec. 17.

Commander Prouty said that the VT Chronic Care Initiative nurse assigned to the VISION Center took another job so center is down to one nurse. The State is trying to fill that position. Rutland Mental Health crisis person assigned to the PD is still in training. Once that is done, Dan will be working 37.5 hours weekly. A case manager from Rutland Mental Health Community Care Network will be coming onboard on the outreach care team, street team and assist the CRS. Commissioner Headlam asked how many hours and where will they be working. Commander Prouty said 20 hours week and she will have office space at the PD but will be very mobile. He added that Officers Rosario and LaGuardia will finish patrol in January and return to VISION. There is a VISION Meeting on Dec. 14 and an open house for the VISION Center is being planned tentatively for Jan. 22.

Mapping Update

Nate presented the mapping update for January 1 – November 30, 2023. November forecasted calls was 888, ended with 1,035 actual. October had the highest actual call volume for the year.

Year to date Call Volume Comparison – 10,739 10% increase over last year at with 11,760. The actual case volume is up 14%, currently at 13,000 at the end of November. The November call volume was between 1200-1500 with the busiest day on Thursday. The YTD call volume was 1300-1600 with the busiest day on Wednesday. The heat map for November shows a concentration of activity at the Shopping Plaza, Center Street, Wal-Mart, TD Bank, LAZ parking, Price Chopper, Citizen's bank, South Main Street, the Econo Lodge, Cumberland Farms and Quality Inn.

Crime Comparison

Homicide 2022 - 2, 5 year avg. .8, 2023 – reported 2, confirmed 2
Robbery 2022 – 22, 5 year avg. 11, 2023 – 3 reported, confirmed 2
Aggravated Assault 2022 – 57, 5 year avg. 43.4, 2023 – 180 total assaults reported
Burglary 2022 – 46, 5 year avg. 57.8, 2023 – reported 82, 34 confirmed

Larceny Comparison

Auto 2022 – 75, 5 year avg. 32.5, 2023 - 68 reported, 33 confirmed

Motor Vehicle 2022 – 274, 5 year avg. 108.8, 2023 – 197 reported, 123 confirmed
Building 2022 – 151, 5 year avg. 57, 2023 – 123 reported, 48 confirmed
Retail theft 2022 – 296, 5 year avg. 132, 2023 – 367 reported, 258 confirmed

Arrest Information

YTD arrests/citations 394, repeats (more than once) 126, 3peats 58, top arrest count for one individual is 24. The top 10 offenders account for 18%. The average arrests per month is around 50. The total violations are 927: attest/state warrant 127, retail theft 121, violations of conditions 80, unlawful trespass/misdemeanor 62, simple assault 42, DLS 30, violation from APO 26, domestic assault 26, disorderly conduct 24 and drugs/cocaine possession 24. There are two top violation condition individuals with 9 each. Commander Prouty noted this is only City cases and does not include Rutland Town, sheriff or state police.

Retail Theft

Total reported YTD 393, confirmed 284, average 35.73 per month. The case I.D. rate is 45% with 68 individuals identified, 30 repeat offenders, 3peat 16, 80% suspected substance abuse. Nate explained how he determines whether an offender is a suspected substance abuser. He discussed the range and how it has increased since 2020 with the average in November near 52 with pending cases. Victim cooperation rate is 53%, 17% didn't provide video, 13% reported late (more than 24 hours), 12% no charges just trespass, 5% no victim (not enough evidence).

Motor Vehicle Theft

Total reported 71, confirmed 39 with 12 arrests. Sixteen individuals identified, one repeat, recovery rate 92%. Most of the thefts were from unlocked cars or keys left in the ignition. Larceny from automobile 197 reported, 123 confirmed, 7 identified, repeat 1, 86% unlocked or unsecured. Nate said when force is used to gain access there is usually something large, of value, that can be seen.

Stolen Weapons

Total reported stolen weapons are 21 with theft method 87% from vehicles, 13% burglary, 17% weapons secured. The range is around 6 per month and only firearms are tracked.

Narcotics Information

Year to date there have been 165 overdoses with 22 fatalities, within the City limits, and the monthly average is 15. Total Narcan dispensed is 181, repeat victims is 12%, 116 residents and 40 non-residents. The range shows an increase since 2020 with this year a record of 25 overdoses in one month and a decrease in November to 13. Commissioner Headlam asked how can the Narcan dispensed be higher than the total overdoses. Nate explained that sometimes it takes multiple Narcan uses administered to one person. Commissioner Flory asked who administers the Narcan. Nate said he can only track when administered by police, bystander and EMS. This year there were 18

confirmed fatal and 4 pending toxicology results. Commissioner Headlam asked if the deaths are unintentional or suicidal. Nate said most have been unintentional, but there have been minimal suicides. The number of overdose victims refusing hospitalization is 56% and the number continues to rise since 2020.

Budget Report

Chief Kilcullen said expenses are at 44.73% of the budget at 41.67% of the year. He discussed the overtime line where, after 5 months, nearly \$300,000 of the \$350,000 budget has been spent. The anticipated salary savings will not be available this year and this will need discussion during executive session. Commissioner Headlam asked about the status of the policy regarding allowing the number of violations to be considered by the Attorney General in sentencing. Chief Kilcullen said the bill is being sponsored by Sen. Brian Collamore and will be introduced to the Legislation in January. She asked if that would make a difference. Chief Kilcullen said it would make a difference because there are a number of individuals that would be affected, but the discretion still lies with the judge. If passed, the bill will give judges the ability to apply more conditions of release.

Chief's Report

Chief Kilcullen provided the Commissioners with a copy of the final draft of the PT Policy Directive 305. The worker's comp issue was resolved and no reference is in the policy. Commissioner Flory moved to approve the policy as drafted and authorize the Chair to sign the policy on behalf of the Police Commission. Commissioner Headlam seconded. Motion passed 5-0.

Chief Kilcullen provided the Commissioners with a copy of the Firearms Directive 404. He said the purpose of the policy is to establish guidelines for the use, deployment and storage of department issued firearms and personally owned firearms that are used in association with an officer's law enforcement certification. This policy replaces a former policy and Sgt. Jason Williams is present to answer any questions. Commissioner Headlam said she had not read the policy. Commissioner Romeo discussed the off-duty firearms language "not encouraged" on page 9. Sgt. Jason said that was in the original policy dated 1996. Commissioner Flory asked about "personally owned firearms" in the directive. Sgt. Williams said the Department owns six patrol rifles, one for each of the six unmarked cars. There are some officers, him included, that have take-home vehicles and they have their own personally owned patrol rifles and that is what "personally owned firearms" is referring to and only used in conjunction with law enforcement activities. Chief Kilcullen said these firearms, as well as other backup firearms, have to be approved by the armorer, the process is on page 7 D5. Sgt. Williams added that the armorer can either be a civilian or sworn officer and the job is to mostly maintain accountability and maintenance of the weapons. Commissioner Headlam asked if there is specific training for the armorer. Sgt. Williams said Glock and other manufacturers of patrol rifles do put on trainings that he and two other firearm instructors will be attending Feb. 6. Commissioner Romeo asked if the armorer becomes certified. Sgt.

Williams said Glock will certify to do maintenance on their pistols and the officers do go through training. Chairman Brougham asked if there is anything in the policy requiring the armorer be certified or trained by Glock. Sgt. Williams said no because if it is decided to switch to a different manufacturer the policy would need to be rewritten. Commissioner Headlam suggested adding the requirement that the armorer have training to add another layer of protection for the department. Commissioner Headlam asked for Sgt. William's contact information in case she has additional questions. Commissioner Flory said she has issue with the definition of "personally owned firearms." Chief Kilcullen said it does not allow officers to carry any personally owned firearm because they are subject to the process in D5. Commissioner Headlam suggested adding to the definition "which is approved for use in conjunction with their law enforcement certification." Both Chief Kilcullen and Commissioner Flory believe that would work to clarify the definition. Chief Kilcullen said he would work with Sgt. Williams to make the change. Chairman Brougham suggested bringing back Directive 404 at the January meeting with the amended language.

Chief Kilcullen discussed how the display in the PD lobby will be incorporated into the Justin Thomas Memorial Park and dedicated in Officer Ebbighausen's memory, in addition to the bench, during Police Memorial Week May 15-21, 2024. In addition to the park dedication and community room dedication, Officer Ebbighausen's name will be engraved on the wall in Washington and the memorial outside of City Hall. Commissioner Headlam asked if that is the same time as the award ceremony. Chief Kilcullen said yes. Commissioner Romeo asked why the memorial service at the monument, in front of City Hall, is no longer held around Memorial Day weekend. Chief Kilcullen said that is a function of the PBA and it was determined internally that it was more appropriate to hold it during Police Memorial Week, because Memorial Day is to honor military. Commander Prouty supports how the memorial is being held now during Police Memorial Week. Chief Kilcullen said there will be a service at the memorial this year when Jessica's and Rick Fitzsimmons' names are engraved.

Chief Kilcullen reported that Eric Morgano has been reinstated as Corporal and former CRS Bill Gaiotti took the position as evidence/property custodian. Commissioner Flory asked about the process for posting a position. Chief Kilcullen said positions have to be posted for 5 days internally, if no interest, it is posted externally. The CRS job has been posted internally and if there is no interest by Dec. 13, it will be posted externally. On Nov. 28 there was a Public Safety Committee meeting for the police and fire departments to present their FY25 budgets and that committee makes a recommendation to the full board. The Mayor suggested pulling out two items in the police budget to be paid out of the 1% Option Tax. They included \$20,000 for vehicle lease payments and \$75,000 for equipment including dashcams, body cams and tasers. On Nov 29, the Mayor held a public safety meeting at the Rec in response to complaints that there was no dialogue at the first meeting. Commander Prouty, the Chief and the Mayor addressed questions that were brought forward. Commissioner Romeo said the meeting can be seen on PEG TV. On Dec. 7 the Justin Thomas event was held at

Southside to recognize those who sponsored and helped support the park. On Dec. 8 there was a Sheriff's Association training and the commanders, Sgts and the Chief attended. There was an employment attorney as the key note speaker. On Dec. 13 Shop With a Cop will be held for 65 students. There will be a Rutland County Treatment Court graduation on Dec. 19 at 2 pm. Chief Kilcullen said they went before the Board of Finance to request \$1,000 from the opioid settlement money to support treatment court graduates. Chief Kilcullen said VPR VT Edition aired a story highlighting Rutland's treatment court.

Chief Kilcullen continued saying there has been some internal interest in the position of CFAC investigator vacated by Amber Houle, but he does not know when it will be filled. The FY25 budget process continues Dec. 14 when the Aldermen make cuts and vote on the budget. Chief Kilcullen distributed copies of the 2024 assignments effective January 7. He said Noah Sweeney and Sarah Karczmarczyk recently completed dispatcher training and Cpl. Tavares completed taser training on Nov. 27.

Upcoming Trainings

Feb 6, 2024 - Glock Armor training for Sgt. Williams and other firearms instructors

March 2024 – Less Lethal Instructor course for Commander Whitehead, Sgt. Williams and Officer St. John

Commissioner Headlam asked what VPA means for PO Sean Olsen. Chief Kilcullen said VT Police Academy, PO Sean Olsen will at the academy from February to May of 2024.

Commissioner Flory asked how many officers are retiring in 2024. Chief Kilcullen said Sgt. Lorman is retiring in February. Commander Whitehead added that Sgt. Lorman, Sgt. Plemmons and Sgt. Mosher are not on the road.

Chief Kilcullen said there is a dispatcher position open. Commissioner Headlam asked where to find the dispatcher job description. Chief Kilcullen said he would send it to her. Commissioner Flory asked to be sent the job descriptions and protocols for the open positions. Commissioner Brown asked where the PD posts jobs externally. Chief Kilcullen said sworn officers are posted on Police App, Facebook and Police Academy website. The non-sworn positions are typically pulled from other departments until recently.

Executive Session

At 7:33 pm Commissioner Romeo moved to go into executive session under I VSA §313 (a)(1)[6] for the purpose of discussing contracts that premature general public knowledge would clearly place the Police Commission at a substantial disadvantage and invited the Chief to participate. Commissioner Flory seconded. Motion was approved 5-0.

Executive session exited at 8:04 pm.

Adjournment

The meeting was adjourned. Motion passed 5-0.

Meeting called to close at 8:04 pm.

Submitted by: Barbara Spaulding

cc: Chief Brian Kilcullen
Mayor Mike Doenges
Police Commission
City Clerk Tracy Kapusta
Board of Aldermen
Union President

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