



POLICE ADVISORY COMMITTEE

Meeting Type: **Regular Meeting**
Date: **Tuesday, June 21, 2022**
Time: **5:30 p.m.**
Physical Address: **47 Bombardier Road, Milton, VT 05468**
Location: **Fire Department Meeting Room, Milton Fire Station**
Contact: **(802) 893-6655**
Website: **www.miltonvt.gov**

Meeting Minutes

Police Advisory Committee Members Present: Harjit Dhaliwal, Chair; Kevin Kimball, Clerk; Joseph Duquette, Member; Richard Edwards, Member;

Police Advisory Committee Members Not Present: Dylan Martel, Member

Staff Members Present: Stephen Laroche, Police Chief; Michaela Foody, Public Safety Director

I. Call to Order

Meeting to order at 5:34 pm.

II. Flag Salute

Michaela Foody led the attendees in the Pledge of Allegiance.

III. Public Forum

None.

IV. Agenda Review

Motion made by Richard Edwards to postpone the School Safety agenda item to the next meeting in July with a second by Harjit Dhaliwal. **Motion Approved.**

V. Approval of Minutes

Motion made by Richard Edwards to approve the minutes as presented for the May 17, 2022 Police Advisory Committee meeting with a second by Harjit Dhaliwal. **Motion Approved.**

VI. Election of Vice Chair

Motion also made by Richard Edwards to postpone the Election of Vice Chair to next meeting with a second by Harjit Dhaliwal. **Motion Approved.**

Michaela Foody introduced Joseph Duquette, who was appointed to the vacant Police Advisory Committee seat by the Selectboard on Monday, June 20th. Foody also

explained the position of Alternate, to which Henry Bonges was appointed by the Selectboard on Monday night. The Alternate is to be called on in the event of an absence of a Committee member from a meeting and can sit in their place. He is allowed to attend and speak in meetings, but unless he is filling a member absence, has no vote. In the event of a vacancy, the Alternate assumes the vacant seat and becomes a Member of the Committee.

VII. Policies for Frisking/Search Policy

Richard Edwards explained to the Committee that he wanted to discuss this topic due to a recent incident in another State where an improper “frisk” was conducted. Chief Laroche presented the Milton Police Department’s policy 25b: Stop, Arrest, and Search of Persons. Chief Laroche provided definitions for commonly used words, including “frisk,” “probable cause,” and “reasonable suspicion.” He summarized the procedures for “strip searches” and explained that in Vermont, Police Departments will call other Police Departments to request a female officer to conduct a search of a female if one is not on duty with the arresting Department. The Committee recommended that the policy be updated to include procedures for searches of non-binary and transgender individuals.

The Committee asked questions regarding the authority of officers to stop individuals and request identification, how and why this should happen, and what questions are allowed to be asked. Chief Laroche explained the difference between criminal and civil stops and the criteria for asking for ID in Vermont, including in the event of a motor vehicle stop. Chief Laroche explained the difference between “probable cause” and “reasonable suspicion.” He explained that all questions asked and actions taken by law enforcement must be on the basis of articulable facts. The Committee asked questions regarding what can be used as evidence in searches and inventories of property versus what a warrant is needed for.

Discussion occurred concerning if and when someone can request to speak to a supervisor during interactions with officers. Discussion occurred about differences in prosecution between different counties due to State’s Attorney jurisdictions, specifically concerning pretext traffic stops.

VIII. Policy and Practices for Interactions with People with Neurodivergence

Chief Laroche provided the Committee with the definition for “neurodivergence.” He presented the Milton Police Department’s policy 35b: Mental Health Emergency, which is due for review this fall. Anticipated updates to this policy include the Department’s current procedures relating to the Howard Center Community Outreach Program and adding/replacing sections with relevant sections from the

State of Vermont's 2021 Statewide Policy on Police Use of Force. The Use of Force policy includes Appendix D: Use of Force Guidelines for Interacting with Persons Known to be Experiencing or Perceived to be Experiencing Mental Impairment. Due to this, officers are now trained to think about potential medical conditions that could cause an individual's mental state. Richard Edwards asked if the Police Department uses a mental health organization, like the Howard Center, to help update this policy. Chief Laroche explained that the Howard Center is not well versed in law enforcement rules and mandatory procedures, so they are not consulted, but the Department does take advisement from example policies and guidance from the Vermont League of Cities and Towns specialist attorney and the International Association of Chiefs of Police.

The Committee asked if the Police Department has frequent dealings with individuals with autism. Chief Laroche explained that, while the Department does get calls concerning individuals who are experiencing behavioral emergencies, the Milton Police Department discourages people from contacting the police as a first resort to resolve conflict, and to instead contact the proper resource, which may be a behavioral health counselor or similarly trained professional.

The Committee asked how many hours of training on mental health and behavioral emergencies officers receive in the Police Academy. Chief Laroche advised at least 8 hours, excluding when it is discussed during trainings regarding specific topics including motor vehicle stops, use of force, etc. Edwards offered to provide Chief Laroche with resources on groups that offer police-specific trainings on this topic.

The Committee asked if there is accountability for officers who don't respond well to behavioral and/or mental health emergencies. Chief Laroche advised that the Milton Police Department provides feedback to officers by having supervisors review incidents and offer the officer alternative actions they can take in future interactions.

The Committee discussed with Michaela Foody and Chief Laroche the complexities of involuntary mental health evaluations. Conversation included who can order them, what criteria needs to be met, and how PD, EMS, hospital, judicial, and mental health organizations all have differing and sometimes conflicting policies and regulations on how they are performed. The Committee also discussed Vermont's rules on "extreme protection warrants" for firearm possession and mental health diagnoses.

IX. School Safety

This item was decided by the Committee to be postponed to the next meeting during the Agenda Review.

X. Police Chief's Update

Chief Laroche provided the Committee with a Department update:

- The Detective position decision will be made on Wednesday, June 22nd. The position rotates every 5 years.
- A new full time officer starts July 11th. She is coming from Burlington Police Department and comes highly recommended. She has local ties to Milton and has a big interest in community policing.
- One officer graduates from the Police Academy on July 15th. He will be on Field Training with Cpl. Grenier to start.
- Recently had the largest drug bust in Milton Police Department and State history. The started with the Department as a local DWI traffic stop. The arrested individual faces a minimum of 7-12 years in jail. The Department will receive a portion of the Asset Forfeiture, but this could take years.
- Currently experiencing staffing issues due to injury leave, the academy, start dates, vacations, and bereavement leave.
- Hours this month providing policing in Georgia has been lower than usual due to staffing.
- Announcement on the Lieutenant promotion will be in the next few weeks. The second oral board interview was today. Richard Edwards and Michaela Foody participated in the first one last week.
- The Health and Safety Fair/Bike Rodeo was on Saturday, June 18th. There was low turnout due to weather.
- National Night Out is on Tuesday, July 2nd.

The Committee asked about current crime rates, specifically if business break-ins have been on the rise. Chief Laroche advised that there had been some arrests related to this in the last year, but none recently.

XI. Adjournment

Motion made by Richard Edwards to adjourn the meeting with a second by Kevin Kimball. **Motion Approved.**

Harjit Dhaliwal adjourned the meeting at 6:58 pm.

Respectfully Submitted,
Michaela Foody

APPROVED MINUTES:

Kevin Kimball, Clerk

Date:

7/19/22

Filed with the Milton Town Clerk's Office on this _____ day of _____, 2022.

ATTEST: _____, Milton Town Clerk