

LAW ENFORCEMENT STUDY COMMITTEE MEETING MINUTES
JOHNSON / HYDE PARK / WOLCOTT
REMOTE PARTICIPATION VIA ZOOM TELECONFERENCING
WEDNESDAY, FEBRUARY 3, 2021

Present:

Committee Members: Duncan Hastings, Diana Osborn, Jim Olsen, Peter Gallo, Roger Audet

Note: All votes taken are unanimous unless otherwise noted.

1. Call to Order

Duncan called the meeting to order at 6:30.

2. Changes to Agenda

No changes to the agenda were needed.

3. Review and Approve Minutes from 12/16/20

4. Jim moved to approve the minutes of January 20, 2021 and the motion was seconded and passed.

5. Review and Reports from Committee Members

Jim said he has submitted a letter of resignation from this committee to the Town of Wolcott because he is going to be participating in a supervisory training program that will conflict with his committee time. He will be here for this meeting and hopefully the next. Wolcott is looking for a replacement.

Jim reviewed his completed report. He did a basic statistical analysis of response times. For each incident there was a date and time for the 911 call, dispatch, arrival on scene and clear. He created a separate column for the difference between the 911 call time and the dispatch time. Response times were pretty much in line with what you would expect in a rural community. They were not too bad but there were some outliers of concern. Johnson had an average time from 911 call to dispatch of about 20 minutes. Response time once the officer was notified averaged about 10 minutes. Total response time was around 30 minutes on average. The average time the officer was on the scene was about 31 minutes and total incident time averaged about 62 minutes. These times aren't too bad for a rural area. He would like to see them reduced a bit. If he were in charge, he would try to reduce them by about 5 minutes. He noticed there were sometimes multiple responses to a specific incident. That could be two officers from different areas responding to different calls for the same incident or it might be a detective responding to further investigate an assault. He took the earliest dispatch and response time for each incident. He used a one minute response time when no response time was noted. That could be a situation where an officer called in an incident and was already on the scene. Responses to calls in areas further out from the sheriff's department take a little longer. Data that was provided to him had address locations and he removed those from his report for general public viewing.

Jim was confused by the staffing report that was also provided. He is not sure whether these are the officers for the entire department or officers assigned to the Johnson, Hyde Park and Wolcott contracts. One person listed was a detective sergeant who doesn't conduct patrols and another was the school resource officer assigned to Lamoille Union High School, who

does not patrol. He identified 5 people who do patrol duties – two deputies, a sergeant, a patrol sergeant, and a corporal. Their shifts appear to overlap. He would like clarification on whether they support this contract or multiple contracts.

Duncan said he was surprised by the amount of time between receiving a 911 call and the dispatcher contacting a patrol officer. He would love to know from Roger Marcoux why that is. He would have thought 3-5 minutes would be enough time for the dispatcher to receive a call and dispatch someone.

Jim said he isn't sure how they have their 911 response set up. Dispatch is 24-7 but the sheriff's department has a 5 hour window from 2:00 am to 7:00 am when no patrol officers are on duty. It could be that average times are affected by that 5 hour window when they have to wait to dispatch someone. There was an 8 minute average time between 911 call and dispatch for Hyde Park, 11 minutes for Wolcott and 20 minutes for Johnson. He believes Johnson had the most calls. He wouldn't be surprised, especially since the college is there, if there is more going on late at night when no patrol officer is on duty and dispatch is waiting until a patrol officer comes in to respond to a non life threatening incident. That is the only reason he can think of why Johnson's delay time would be 20 minutes. He could probably look into that more and get information by the next meeting.

Duncan asked Jim if it makes sense to ask LCSD to look over Jim's spreadsheet and see if they think it looks accurate. Jim said they are welcome to. He said he sees that in Johnson a lot of calls are happening at 2:00 or 3:00 in the morning. That might skew the response time a little higher. If the committee wants to share his report with the sheriff's department he has no problem with that.

Diana joined the meeting. She apologized for missing the first part due to internet problems. She said in one place it was mentioned that 2020 call volume was roughly 4000. She is seeing numbers in Jim's analysis that are in the hundreds, not thousands. Why the discrepancy?

Jim said there are two primary records management systems in Vermont – Valcour and Spillman. He doesn't have any Valcour data. Traffic tickets, encounters with skateboarding kids, etc. are not included in Spillman. He doesn't know if those are in Valcour or what Valcour includes.

Diana said there are roughly 5 employees that look like they are available for patrol, but she knows the sheriff's department employs more than those 5. They staff dispatch, have employees who transport people to correctional facilities, etc. She would like more information. Do these 5 just belong to these 3 towns? What about other employees that are not showing up in the information we got?

Jim said he has the same questions. The staffing document provided was very vague. He would like to see more detail. He thinks there are 5 total personnel serving the 3 towns but they might be responding to calls in other areas also.

Diana said we could continue to drill deeper and get clarification from Roger Marcoux or we could take another route. We can tell the selectboards that upon independent review it was impossible for us to determine basic data like number of calls, response times or number of personnel and recommend that if the selectboards want to pursue a contract they might want to pursue those data points.

Jim said Roger must get some type of managerial report on calls for service, how many arrests are made, tickets issued, etc. It is hard to believe he wouldn't get reports like that. He found it disappointing that the data he got didn't show any result for the incidents – arrest, warning, fine, ticket, etc. Sheriff Marcoux told him he could pull additional data but it would take more time.

Diana said she thinks it is important for us to maintain a healthy boundary between providing information to the selectboards and doing anything like a performance review of the sheriff's department. She thinks we should be careful about anything verging on a performance review of the sheriff's department.

Jim said we want to make sure the numbers we are seeing are correct and accurate and that the data shows we are getting value from the investment we are making in the contract.

Duncan asked Jim if he has had the opportunity to look at the monthly reports the sheriff's department provides selectboards. He recalls that they give a breakdown of arrests, tickets, etc. Jim said he did look at some of the older ones but he would have liked to see all the data on calls in a single clean data set.

Duncan said he thinks some of this is lack of understanding on our part. Every town in the county has a contract for dispatch services. Those 4000 calls might be all the calls accepted for the dispatch center, not just for the patrol contract towns. He is guessing that is the disparity.

As for staffing, Diana mentioned that there are many other employees in the sheriff's department. That is true, but we are not paying for those. We are paying for 5 patrol officers and a detective and we are paying Roger. We are paying for dispatch but through a different contract. Officers who do transports, etc. are paid for out of Roger's other budget, which is a county budget.

Duncan said he thinks we need to ask Roger these questions to do our job. He may be able to quickly clear up some of our basic questions. He thinks we should come up with a list of questions and ask them to Roger and that should become part of our report. If after that we don't feel we have enough information to make suggestions, that is fine. He thinks we owe Roger the opportunity to answer our questions. He doesn't think it is stepping on Roger's toes to ask him about his operations. Jim agreed.

Diana said when you look at what is happening around the state, for instance in Barton, it highlights that there are communication problems. She thinks anything we can do to facilitate communication is to anyone's advantage. It is important to maintain good, positive working

relationships. She would hope as we present questions it would not be like an interrogation, a demand for data or judgment or criticism but an opportunity for Roger to inform the selectboard through us of the details of how he fulfills the contract with our towns.

Duncan said he doesn't disagree. If Roger thinks we are stepping on his toes he has no doubt based on past experience that he will tell us. His contract is not with this committee, but with the towns. The task he views us as performing is providing information and data to the selectboards, and maybe a list of things to think about. We know Roger is going to retire at some point. He would like to ask Roger if he has thought about and expressed a succession plan with the people he has contracts with. He also thinks Roger would give us a candid opinion about what he thinks is the best law enforcement solution for our communities. He would like to give him the opportunity to tell us what he thinks is the best option.

Duncan told Diana that Jim will be leaving the committee at the end of the month. He said he has really valued Jim's insights and his ability as a person with a law enforcement background to make sense of some reports.

Jim said he mentioned to the people in Wolcott that he thinks this committee is valuable to get a better understanding of law enforcement needs, what the sheriff can provide and how it impacts the vendor and customer. Diana hit the nail on the head; it is about communication – communicating the community's needs and the sheriff's department communicating its capabilities to cover those needs. Moving forward it will be valuable to get the sheriff's take. That will help clarify a lot of questions we have.

Duncan said he knows from past conversations with Roger that there are some things that would make life easier for him. One simple one is a uniform ordinance between the 3 contract towns. The Village of Johnson has a speed limit ordinance that is out of date and often he isn't able to make it stick if he brings a ticket to court, which is why there are a lot of warnings rather than tickets issued. If we are going to give a fair assessment to our boards we also need Roger's perspective on things towns might be able to do to make law enforcement more effective.

Diana said that is a good point. There are also ordinances that are up to date and enforcement of them is lacking. There is a chance that things aren't happening that should be and we need to find out which ones and let the selectboards know.

Peter said in Hyde Park they are finding that their traffic ordinances are in fine shape and just need to be enforced. Duncan said if we talk to Roger that will be a good opportunity for Peter to ask if there is anything wrong with the ordinance that is keeping it from being enforced. In the past there has been some interest in a common speed control ordinance for the 3 contract towns. He would like to hear from Roger what he sees as the major impediments to providing more effective law enforcement services.

Duncan and Diana thanked Jim for his work on his report. Duncan said he is hoping Jim might be able to take quick look at a draft of the committee's final report. Jim said he is willing to.

Diana said she is continuing to look at what other towns do as options. She is realizing that we don't have a lot of options. There is very little that is under the control of any one town. She sees each little town struggling in their own way to make a system that works for them. Every town has to reinvent the wheel. She is finding that everyone has complications, things work less than smoothly and there is no one solution that works for everyone.

Jim asked if this contract with the sheriff is unique to Vermont or if other states do this. If they do, has Diana thought about looking at what other states have done?

Duncan said Vermont is one of the few states that doesn't have county level government. Technically we do, but not like other places. Vermont is still largely governed by municipal selectboards. There is a very loose county government structure. In most other states if they have a county sheriff's department they have a much greater definition of what their roles and responsibilities are than in Vermont.

Diana said she has been looking at other states. She has personal experience with Colorado. The idea that the county sheriff would not automatically by default provide law enforcement for the entire county and that we have to have a contract in place for the sheriff to do his job is so weird and unique to Vermont.

Duncan said he needs to come up with a multiplier for each town for individual people to look at their tax implications.

6. *Final Review of Selectboard Survey*

Duncan said he took a shot at trying to revise the survey questions based on our last meeting and he ran the draft survey by two Johnson selectboard members and got feedback. He sent out a copy of the draft. He would like to move on this and get it to selectboards. The other committee members said the draft looks good.

Roger Audet asked if patrol officers report on fire calls. Duncan said his understanding would be that if dispatch calls out the fire department the sheriff's department is automatically also called out. Jim said the sheriff's department has to provide backup to other law enforcement agencies. Duncan said he thinks the only exception to mutual assistance would be if the department was not staffed during those hours.

Duncan said he will work to get this survey out to selectboard members and get their responses as soon as possible.

Diana asked, when we get the responses back, what will we do? Duncan said if he can use Survey Monkey that will make it easier to collate data. He hopes we will see some continuity, but we may not. That may inform us to some degree.

Diana said selectboard members' priorities will help us structure the report. Is there other information we can glean from this? Duncan said he hoping they may give us written responses to some questions. His initial thought was that survey responses should be anonymous. Jim said he tends to agree. Peter said he thinks that is a good idea. We will get

more honest answers. Diana said she wonders if there is more value from honest answers or from having individual concerns addressed. Peter said he thinks that is good point. Duncan suggested we could make it optional for people to give their names if they wanted to raise a specific issue. Diana said she would guess there are selectboard members that would have a particular need and she would want to make sure we address those individual concerns. Duncan said, what if one member sees something as a huge priority and others don't? Diana said that if one person feels very strongly about something, maybe even wanted to form this committee to address it, and we don't pay attention to it, that is not right.

Jim suggested maybe we can show a bar graph or pie chart of responses so each person will get their voice out there but they can also see where their opinion lies in relation to other selectboard members.

Duncan said if someone feels passionate they have the right to be as passionate as they want in talking with other selectboard members and if there is a community-wide survey and a majority of the community agrees that item gets elevated to a higher degree. He believes selectboards ought to be the ones that conduct a community survey but he thinks that should be one of our recommendations.

Duncan asked, should it be optional for people to identify themselves? Jim said he thinks we should leave it as an option. He doesn't see any harm if they want to and it is fine if they don't.

7. *Discussion of Member Questions for LCSD, Sheriff Marcoux / Schedule Meeting with LCSD, Sheriff Marcoux*

Duncan said he was hoping to finalize a list of questions for Roger. At our last meeting we talked about inviting him to the next meeting. Duncan is still hoping to do that. He had circulated some questions. Diana said she saw Jim's suggested questions with comments from Duncan underneath. Duncan said he hasn't done a rewrite of the questions yet. He can do that and circulate them back out. He didn't get any questions from anyone else. Diana said she found her questions were incorporated in the document she saw. Peter said he thought the questions looked good. He felt his questions were there.

Duncan asked if it would be useful if he combined his and Jim's thoughts into one set of questions and sent it out and asked everyone to comment. Diana said she thought that would be really helpful. Jim agreed. Diana said she liked Jim's initial thoughts but also agreed with Duncan's suggestions.

8. *Discussion of Framework for Report*

Duncan said he thinks we are close to being done with data gathering and at a point where we could start structuring our final report. He sent out a rough outline today. He would love comments and feedback either tonight or in email. Jim has already done a lot of work on a narrative relative to call volume and response. Duncan has a fair amount of data on tax implications. Diana has good background information on options. He thinks we could probably put that part of the narrative together fairly easily but we need to give thought to how we want to structure our observations. Diana has mentioned, and he agrees, that anything we provide should be more in the form of information and ideas rather than specific recommendations.

Diana said she would be happy to write up a summary of options and alternatives.

Duncan said he was thinking the report might address fiscal impacts of the contract, questions we have for Roger and what his responses are, and possibilities for modifications to the contract. We could look at the existing situation, then look at potential options and give a laundry list of things the boards could consider going forward.

9. Next Steps

Duncan asked if anyone thinks there is information we should have and don't. Diana said she thinks a big missing piece is anything boards have expected from us that we haven't done yet. When the survey comes in if there is anything else mentioned that selectboard members think is important to get information on, that would fill in that blank.

Duncan said one way to address that would be to submit a draft report for their review and comment before submitting the final report. Diana said yes, but she thinks we need to get the results of survey back first.

Duncan said we have to have Roger's feedback and incorporate that as well.

Duncan said he will get out the list of questions within the next couple of days. He suggested that everyone turn their comments around fairly quickly. He would like to give Roger as much time as possible to review them. It was agreed to invite Roger to the next meeting.

10. Adjourn

Diana moved to adjourn at 7:53, Roger seconded and the motion was passed.

Minutes submitted by Donna Griffiths