

**Sunset Advisory Commission
Board and Commission Review**

Mental Health Crisis Response Commission

1. In general, how often does the board and commission meet. Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

The panel has been created July 1, 2017, and has met 7 times since then. It met on September 12, 2017, October 16, 2017, November 29, 2017, January 19, 2018, February 14, 2018, September 4, 2018, and October 2, 2018.

Due to the nature of the commission's work and the confidentiality requirements written into the enacting statute records of the commission's proceedings are confidential.

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.
 - Attorney General or designee from a division other than that investigating the interaction: AAG David Scherr
 - Commissioner of Mental Health or designee: Deputy Commissioner Mourning Fox
 - Member of the Vermont State Police, appointed by the Commissioner of Public Safety: Lt. Maurice Lamothe
 - representative of frontline local law enforcement, appointed by the Vermont Association of Chiefs of Police: Chief Frank Koss
 - Executive Director of the Vermont Criminal Justice Training Council or designee: Training Director Cindy Taylor-Patch
 - Representative of the designated agencies, appointed by Vermont Care Partners: Dr. Sandy Steingard. (Presently Kate Lanphear is standing in due to Dr. Steingard's recusal from the commission's present investigation).
 - director of Disability Rights Vermont or designee: Executive Director Ed Paquin.
 - An individual who has a personal experience of living with a mental condition or psychiatric disability, appointed by Vermont Psychiatric Survivors: Wilda White
 - A family member of an individual who experienced or is experiencing a mental condition or psychiatric disability, appointed by the Vermont chapter of the National Alliance on Mental Illness: Laurie Emerson
 - Two regionally diverse at-large members, appointed by the Governor, who are not representative of subdivisions (A)-(G) of this subdivision (c)(1), such as an emergency dispatcher, specialist in interactions between law enforcement and individuals with a perceived mental condition, or a representative of the Vermont Human Rights Commission or Vermont Legal Aid: Executive Director of

the Department of State's Attorneys and Sheriffs John Campbell and Executive Director of Team Two Kristin Chandler

Panel members serve two-year terms.

The governor appoints two members as outlined above. The appointing authority for each remaining seat is the official or entity named by statute.

There are no per diems.

3. Provide an overview of the board or commission's purpose.

As provided by law, the commission has five purposes:

- (1) to conduct reviews of law enforcement interactions with persons acting in a manner that created reason to believe a mental health crisis was occurring and resulted in a fatality or serious bodily injury to any party to the interaction;
- (2) to identify where increased or alternative supports or strategic investments within law enforcement, designated agencies, or other community service systems could improve outcomes;
- (3) to educate the public, service providers, and policymakers about strategies for intervention in and prevention of mental health crises;
- (4) to recommend policies, practices, and services that will encourage collaboration and increase successful interventions between law enforcement and persons acting in a manner that created reason to believe a mental health crisis was occurring;
- (5) to recommend training strategies for public safety, emergency, or other crisis response personnel that will increase successful interventions; and
- (6) to make recommendations based on the review of cases before the Commission.

4. Is that purpose still needed? What harm would come if the board or commission no longer fulfilled that purpose?

The purpose is still needed. Given the continuing incidents of dangerous and deadly police interaction with individuals suffering from mental illness the work of this panel, which is just beginning, remains essential.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

The panel is presently working on a comprehensive investigation into the death of Ralph "Phil" Grenon as its first investigation pursuant to purpose 1 of its statutory charge. The panel is working diligently, reviewing documentation, and will conduct extensive interviews. Because proceedings of the commission are confidential further details cannot be discussed at this time.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

This is the only entity doing this type of after-action review of these incidents. Prosecutors conduct use-of-force reviews after certain incidents but they look at a narrow slice of time around the moment force is used. The commission reviews will be a comprehensive, system-wide look at all events and factors leading up to the moment of crisis, from mental health care availability and engagement to police training to incident management.

7. Do any of your board or commission's functions overlap or duplicate those of another state board or commission or federal or state agency?

No.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

Yes.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

None.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor or any state agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

Yes, there is an ongoing obligation to produce a report to the Governor, General Assembly, and Chief Justice of the Vermont Supreme Court as the commission deems necessary, but not less than once per calendar year. The panel plans to produce such a report by the end of this calendar year.