

Vermont State Police is expanding our Fair and Impartial Policing (FIP) mission to match the significance of the work in police reform and modernization efforts.

The end goals are clear. We intend to build and maintain community trust; to ensure that we are responsive to the safety needs of those we serve with an explicit focus on communities historically marginalized; and to ensure equity, justice and accountability at every level in our service to the public.

In Vermont, plans are underway for a systematic approach to comprehensive criminal justice system reform. Many of the initiatives related to this work have been ongoing for at least a decade within the Vermont State Police, but now is the time for all Vermont police and the criminal justice community to listen and respond to community concerns and calls for action, and to prioritize this important work.

It is a time for leadership to universally engage and collaborate with communities on a range of topics, while we clearly convey that our values are about service, dignity and respect. Law enforcement must ensure we not only follow constitutional, ethical, and compassionate practices, but also match the needs of our respective communities. At a minimum, that means working together with all Vermonters to end the pattern and practice of disparate, inequitable treatment of people throughout the criminal justice system. More broadly, we must forge stronger ties with the communities we serve to understand their needs and priorities and work together to resolve them.

To help achieve these objectives at the Vermont State Police, we intend to expand the leadership of our fair and impartial policing mission to have FIP Co-Directors. One will remain at the rank of captain, and the other will be a new position – a member of our community-based advisory committee (The VSP Fair and Impartial Policing Committee).

The Co-Directors will focus in the following areas:

1. Department hiring practices –Law enforcement agencies must proactively strive to reflect all members of the communities we serve and the communities we wish to attract. Ten years of research shows that agencies that reflect diversity out-perform those that do not. Hiring practices in the VSP must be consistent, proactive, and standardized. We will focus equally on screening candidates ‘in’ for desirable characteristic and also screening ‘out’ for undesirable ones. We will engage the community as active participants in recruiting, hiring, and retaining VSP staff.

We will need to get more involved in the police academy (VPA) screening and testing. That means helping them review and modernize these processes. Specifically, the written entrance and psychological exams must be updated. The Co-Directors' role will be to assist with these hiring goals.

Some Action Items:

- A. Invest in additional initiatives to reach out to a more diverse hiring pool, including measurable assessments of those efforts and outcome.
- B. Develop and deploy model questions and selection criteria, for all new officers and staff.
- C. Assist with identifying a new written entrance examination for police applicants.
- D. Assist with identifying a new psychological examination tool for police applicants.
- E. Review and update question banks for polygraph examinations of police applicants.

- F. Develop and deploy a list of essential areas of inquiry for police applicant background investigations.
- G. Assist with development of a community-based evaluation for applicants and members.
- H. Ensure that all applicants fully disclose any prior performance or disciplinary problems and/or any existing legal agreements with former employers.

2. Police and Dispatcher Training – Assist with the development of comprehensive training modernization with emphasis on:

- A. The importance of and detail surrounding the history of disparate treatment by police and all other aspects of the criminal justice system. This includes the history of law enforcement upholding and protecting antiquated and unjust practices and laws, implicit and explicit forms of bias, cultural humility, effective communication and de-escalation. Such training must be integrated, regularly taught and updated at all levels in the VSP as lead by the Co-Directors.
- B. Consistent training and understanding of core values that support our goals; drafted and adopted in collaboration with community, by all members.
- C. Better, more engaging annual training on critical topics including: core values of policing, cultural competency/humility, effective communication/de-escalation/use of force – including training scenarios.
- D. Ongoing collaboration with communities to modify training as needed.

3. Promotion/supervisor selection – Prior to any VSP promotion, we will require candidates to demonstrate, through their work history, deeper levels of cultural awareness and embracing of the importance and emphasis on fair and impartial policing practices, as well as de-escalation and procedural justice. In other words, they must have a proven track-record and understanding of their role in ensuring fairness, dignity, and respect as essential components in every response or encounter. This requires historical and institutional knowledge of the role of law enforcement in our country and our state. That knowledge must be applied to practice with a complete understanding of the principles of community policing and supervision, no matter where the supervisor may serve.

Some Action Items:

- A. Develop and help deploy model questions and selection criteria for new VSP supervisors.
- B. Develop and help deploy pre-command courses and knowledge checklists for supervisors and executives to be used in selection and training of new supervisors and as a basis to train / cross-check the knowledge of existing supervisors. (e.g. Act 56 and other topics)
- C. Assist as much as possible with the development of a statewide hiring/consulting team for law enforcement executives (Chiefs, etc.).

4. Improper Conduct Allegations – The investigation of allegations of improper conduct occurs through the Office of Internal Investigations of the Vermont State Police. The Co-Directors will work to ensure this process is as well understood, and transparent as possible while protecting personnel and complainant privacy, including easy access to make complaints. Investigations must maintain consistency in outcomes and include community oversight. While there are many different models of community oversight, we currently have an effective model with SPAC. We will work with our communities to develop the model as needed.

Proper documentation of any investigation must be maintained. Early intervention systems (EIS) must be developed further to identify at the earliest opportunity members who are engaging in at-risk actions, failing to meet community or department standards, have personal welfare needs, or require training or other support. The systems should also provide a means of identifying supervisors whose employees may be exhibiting deficiencies or needs. Early intervention provides a means for identifying potential problems and, whenever practical, addressing them through non-punitive means to help officers and employees perform at the highest professional standards.

The Co-Directors must work to assist statewide statutory reform efforts governing the release of police misconduct allegations as well as reform of the disciplinary grievance process.

Some Action Items:

- A. Ensure our complaint-reporting portal is accessible to all in many languages and formats. Assist as needed with development of a statewide reporting portal and universal phone number for reporting allegations of misconduct at any agency, which will include a database of both sustained and non-sustained allegations.
- B. Develop recommendations and options for barracks and other segments of the department (OPD, etc.) to use to engage community in the oversight process.
- C. Assist with the development of model statewide policy for investigating allegations of misconduct.
- D. Assist in the development of a possible statewide investigation model for internal affairs.

5. Data – Help update and standardize data collection systems related to use of force, traffic stops, arrests, mental health calls for service, and other important topics. Data should be used to help shape oversight and training efforts, be fully accessible to the public in easy-to-read formats and housed at a statewide database.

Some Action Items:

- A. Assist with the Department of Public Safety's (DPS) process for deploying new computer aided dispatch and records management system (in progress) and deploy the system statewide.
- B. Assist with DPS development of statewide, publicly accessible data dashboards for key topics including but not limited to crime reports, calls for service, use of force, race data collection, etc.

C. Help DPS develop a methodology to report raw, comprehensive statewide data, excluding personal identifying information.

6. Community Collaboration – The Co-Directors will assist with redoubling our agency commitment to work with all Vermonter — especially those in marginalized communities that have borne the brunt of explicit and implicit bias — to help us strike the right balance of community and public safety needs. We lose legitimacy when we fail to meet that obligation. Without legitimacy, community safety and officer safety suffers. Our nation’s history tells us that such failures can arise when law enforcement members adopts a “warrior” approach to public safety — where priorities are sometimes described or carried out in militaristic fashion and hurried fashion, or where the emphasis is upon maximizing arrests or citations (“stats-driven” approaches) — rather than taking a community-based, problem-solving, qualitative approach. This latter approach, sometimes referred to as the “guardian” approach to policing, encourages trust building, cooperation, and collaboration with the community.

Some Action Items:

A. Develop recommendations and options for models that members can use to collaborate within their unique community, with regard to hiring, training, promotion, policy development, accountability process, as well as general information about the operation of and opportunities to partner.

B. Develop restorative practices in daily operations wherever possible.

7. Community Oversight Models – Assist with communities establishing one or more means of oversight of VSP. Such oversight would include assessment of, and input regarding hiring, training, promotional process, policy development, and accountability/discipline. Assist with the development and/or furtherance of a blueprint for other agencies to use – possibly county boards/panels with appointed, rotating membership.

Some Action Items:

A. Develop recommendations, options, and models that members can use to engage community in hiring, training, promotion, policy development, and accountability process.

B. Help allocate much-needed stipends for community members serving in this capacity to ensure broad participation.

C. Develop and deliver model law enforcement and criminal justice training and guidance materials for community members serving in oversight so that they may more effectively and consistently carry out their responsibilities.

8. Policy – Work with senior command and Professional Standards Commander to ensure VSP maintains model policies, especially on the use of force, as well as assisting with statewide model policy in this and other areas. All policies shall be vetted for fairness and equity. The model force policy shall establish a statewide definition for what constitutes a use of force by police and the following standards:

A. Authorizing the use of force only where it is reasonable, necessary, and proportional.

- B. Addressing the First Amendment rights of community members, including community gatherings or protests.
- C. Duty for officers to intervene on improper use of force.
- D. Prohibition of strangleholds and similar neck restraints unless deadly force is necessary.
- E. Requirement to de-escalate encounters with the public, whenever practicable, to reduce the risks to the public and officers alike.
- F. Issue warning before using deadly force, if possible.
- G. Prohibit firing at or from moving vehicles.
- H. Implementation of the use of force continuum.
- I. Evaluate uses of force not only for legal requirement or policy requirements, but also for any deficiencies in equipment, tactics, or training.
- J. Comprehensive reporting on all use of force and requisite review, including an assessment of de-escalation and other tactics leading up to the use of force. Such a review should also identify any equipment, resource, or training needs.
- K. Develop and ensure a clear feedback loop between use of force review committee and training: Members complying with law and policy may nonetheless need additional training to avoid or better manage conflict or high-risk encounters in the future. Training instructors may also further refine curriculum to account for lessons learned from use of force incidents or high-risk encounters.
- L. Ensure requirements for comprehensive reporting and documentation.