



**Senate Government Operations Committee**

**February 12, 2020**

**Testimony of Chris Campany, Executive Director of the Windham Regional Commission on  
S.124 – Miscellaneous Amendments Amending Law Enforcement in the Operation of  
Government – Sections 10, 11 and 18**

Thank you for the opportunity to appear before you today. I was asked to comment on S.124, specifically sections 10, 11 and 18, which relate to plans for municipalities and grants to regional planning commissions through the Agency of Commerce and Community Development. My comments to you are informed by both my work through the Windham Regional Commission and my role as Chair of the Village of Newfane Board of Trustees. In the latter role I have been responsible for contracting for traffic enforcement services.

At present, statute requires municipalities to address public safety broadly. 24 V.S.A. § 4302 states that it is the intent of the Legislature that municipalities, regional planning commissions, and State agencies shall engage in a continuing planning process to plan for, finance, and provide an efficient system of public facilities and services to meet future needs, and stipulates that public facilities and services should include fire and police protection, emergency medical services, schools, water supply, and sewage and solid waste disposal.

24 V.S.A. § 4382 states that the plan for a municipality shall include, “A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs, and method of financing.”

The proposal under Section 10 of S.124 that municipalities develop a public safety plan, including an analysis of the police, fire, and emergency resources, needs, scarcities, costs, and problems within the municipality could be of significant benefit to the municipality if it has the

support to effectively and meaningfully answer those questions. Education and outreach ahead of the planning process will be essential, including suggestions for best practices.

The Windham Regional Commission is not frequently asked to assist with public safety planning beyond our emergency planning work related to hazard mitigation and disaster response and recovery. But I have been engaged in conversations about the issues. In my experience, in our less densely-populated rural communities that do not have their own police service, the public at large may be unaware of public safety needs, especially law enforcement needs, beyond traffic/speeding enforcement and patrols to reduce property crimes. It will be important to educate the public about what law enforcement does and how it is structured in Vermont, and what community needs might reasonably be. I've frequently heard the assertion that a community is safe and not in need law enforcement because there haven't been many break-ins or murders. What concerns me is the absence of other safety considerations, especially domestic violence. What is the incidence of domestic violence within a community? How many 9-1-1 calls are made from within the community that are related to domestic violence? What are the response times? Do victims feel they can report domestic assault and expect a response?

Regional planning commissions (RPCs) are not experts on planning for police, fire and emergency resources, but we can certainly support such planning in municipalities if we have the information to inform the planning work. That's not to say that RPCs haven't been engaged in this work, but it is likely more within the realm of facilitating municipal shared services. I believe it would be important to engage with the Vermont Department of Public Safety and with the Department of Health and Human Services to develop background information, including public safety data, and best practices.

Including such planning as an element of a municipal plan could work, but I do have concerns that this would constitute the addition of another major planning element among more than a dozen other major planning elements that town planning commissions are expected to address in developing the municipal plan. I sometimes liken 24 V.S.A. § 4382 to Charlie Brown's Christmas Tree – the tree being municipal planning commission capacity and the ornaments being the dozen plus plan elements. In the Christmas special, the final ornament topples the tree. It might make more sense for towns to develop a public safety needs assessment and plan as they might a local hazard mitigation plan or other stand-alone plan. Municipalities will need assistance with the development of these public safety plans. RPCs can provide this assistance, but will need the financial resources to do so. The January 1, 2020 date by which Section 10 will apply to municipal plans adopted or amended is unrealistic as it would mean that municipalities would have had to anticipate a new statutory requirement before it became law.

While planning by each municipality has merit and reflects Vermont's governance structure, intermunicipal planning may make more sense in terms of critical mass, economies of scale,

and geography. Section 18 of the bill seems to recognize the value of such an approach, though I am assuming that the allocation of \$1 to the Agency of Commerce and Community Development in support a public safety grant program is a placeholder. RPCs are funded primarily through performance-based contracts, so our capacity will be determined by the resources available to support the planning effort.

Thank you again for this opportunity to comment. I am happy to take any questions you might have.