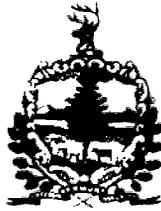


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February 4, 2016

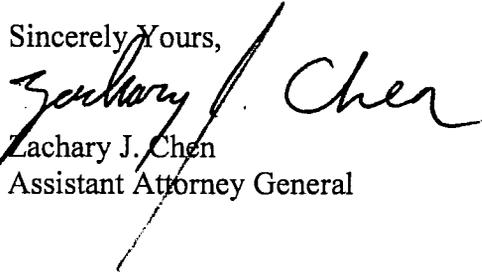
Senator Jane Kitchel  
Chair, Senate Committee on Appropriations  
115 State Street  
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RE: Legislative Report regarding Act No. 80 of the 2003 – 2004 General Assembly and  
Sec. 34 of Act No. 79 of the 2011 – 2012 General Assembly

Dear Senator Kitchel:

Enclosed please find the Report of the Attorney General regarding law enforcement  
mental health trainings authorized and funded by Sec. 34 of Act No. 79 of the 2011 –  
2012 General Assembly. Pursuant to this statute, the Attorney General shall submit a  
yearly progress report as to the expenditure of funds and the status of the training effort to  
the Secretary of Administration and the House and Senate Committees on  
Appropriations.

Sincerely Yours,

  
Zachary J. Chen  
Assistant Attorney General

Enc.



**REPORT OF THE ATTORNEY GENERAL  
REGARDING LAW ENFORCEMENT MENTAL HEALTH TRAININGS  
PURSUANT TO SECTION 34, ACT NO. 79 OF THE 2011-12 GENERAL ASSEMBLY**

February 4, 2016

## INTRODUCTION

This Report is required by Section 34 of Act. No. 79 of the 2011 – 2012 General Assembly which appropriated to the Office of Attorney General funds to continue a training program for law enforcement officers in their interactions with persons exhibiting mental health conditions. Pursuant to Section 34, the Office shall provide a progress report as to the expenditure of the funds and the status of the training effort. The Report shall be submitted to the Secretary of Administration and the House and Senate Committees on Appropriations. The Act 79 appropriation was a continuation of the funding provided in Section 13 of Act No. 80 funding appropriated in the 2003 -2004 General Assembly for the same training purpose.

## LEGISLATIVE AUTHORITY

Pursuant to Act No. 79 of the 2011- 2012 General Assembly, the Attorney General's Office was assigned the following responsibilities and appropriation:

Sec. 34. Protection to persons and property - Attorney general

(a) Of the above general fund appropriation, \$20,000.00 is appropriated to the office of the attorney general to establish a training program for selected law enforcement officers to assist them, during the performance of their duties, in their interactions with persons exhibiting mental health conditions.

(1) The office of the attorney general shall, in consultation with the Vermont coalition for disability rights and other organizations, design and implement this training program.

(2) By January 15 of each year and until funds are fully expended, the attorney general shall submit to the secretary of administration and the house and senate committees on appropriations a report summarizing how the funds have been used and how the trainings have progressed.

(3) Unexpended funds shall be carried forward and used for the purpose of this subsection in future years.

## ACTIONS TAKEN

In response to the original Act No. 80, the Attorney General's Office (AGO) initially consulted with the Vermont Criminal Justice Training Council (VCJTC), the Vermont Coalition for Disability Rights (VCDR) and the Vermont Department of Mental Health. These groups created the Act 80 Advisory Group to design and implement the training program. The Act 80 Advisory Group is a multi-disciplinary group that includes state employees, law enforcement, non-profit organizations, mental health professionals, advocates and members of the public. We recognize and honor each partner's unique and valuable expertise and contribution to this training partnership and thank them for their dedication to this effort. These same partners will continue to act as the Act 80/Act 79 Advisory Group.

The Advisory Group meetings are coordinated by the Attorney General's Office and a list of the members of the Act 80/Act 79 Advisory Group is attached as Appendix A.

Since May of 2006, the basic awareness training "Interacting with People Experiencing a Mental Health Crisis" has been offered to all Vermont law enforcement. Originally the course was 6 hours. In 2009, full-time certified officers began receiving an expanded course (8 hours). In 2013, the in-service offering was also expanded to 8 hours. In 2014, the training became mandatory for Vermont law enforcement and specifically required as a prerequisite to becoming certified in operation of a Conducted Electrical Weapon (CEW). All officers who currently possess a CEW have until December 31, 2016 to attend the training.

As of January 7, 2016, 74% of all Vermont law enforcement agencies' certified personnel have attended the course. It should be noted that departments around the state are also utilizing other mental health-related training programs such as Mental Health First Aid (12 or more hours) and Crisis Intervention Teams (40 hours). Those officers are not counted in these statistics. A total of 1,589 officers have been trained since the program began, although some of these officers have since left law enforcement and only currently active officers are included in data accompanying this report.

In addition, since 2006, many dispatchers and several constables, federal officers and crisis screeners have attended the training. The VCJTC will be offering 1 to 2 trainings each month in 2016 and are working with the Lamoille County Sheriff's Department, Colchester Police, Winooski Police and several others to complete training of their personnel over the course of the next year. See Appendix C for a breakdown of attendance by police agency.

The Attorney General's Office continues to act as the delegated authority for the management of \$20,000.00 appropriated in Sec. 34 of Act 79 of the 2012 Legislative Session. These funds are to be used for assisting law enforcement officers during the performance of their duties in their interactions with persons exhibiting mental health conditions. In light of this objective, the Act 80 Advisory Group decided to contract in 2015 with Crime Research Group, Inc. to design and carry out an evaluation of the effectiveness of the Act 80 training. The Attorney General's Office executed a contract with Crime Research Group, Inc. for this purpose and tracked all expenditures for this appropriation. Sec. 34 provides authorization to carry the balance of the amount forward in order for it to be used for the implementation of the appropriate training programs. In 2015, \$14,754 was spent under the terms of the contract with Crime Research Group. A copy of the report detailing their findings is attached to this report.

In 2015, the Act 80 Advisory Group engaged in ongoing discussion and review of the content of Act 80 training and its relationship to similar trainings offered. Specifically, the group discussed the "Team Two- training and training occurring at hospitals, in order to insure consistency, eliminate contradictory messages, and cross-coordinate

training locations and scheduling. Team Two training is a scenario-based training to promote collaboration between law enforcement, dispatchers and mental health crisis clinicians. Act 80 training is a prerequisite for law enforcement officers who participate in Team Two. While the CRG report makes recommendations regarding Team Two training, the ACT 80 Advisory Group asked CRG to evaluate the Act 80 Training only. Recommendations pertaining to Team Two are outside the scope of what this group requested.

Going forward, the VCJTC will continue to plan, present and administer the trainings as well as devise strategies to begin implementing adjustments to the trainings in accordance with data and findings reported by Crime Research Group. The Attorney General's Office will continue to coordinate and assist the Act 80 Advisory Group in its role.

## TRAINING PLAN

The goal of the Act 80/Act 79 project is to improve police officers' competency in responding to people with mental illness by providing high quality, comprehensive, affordable and convenient training.

### **OBJECTIVES**

1. Continue to identify evolving specific training needs.
2. Evaluate and refine the current comprehensive curriculum.
3. Continue to offer high quality training that is affordable and convenient to all police officers in Vermont.
4. Continue to support a model training program which is now part of the VCJTC standard in-service course offerings.

### **Current Comprehensive Curriculum**

The eight-hour training program is aimed at meeting the following training goals:

- to increase officers' awareness of issues regarding interaction with people who have psychiatric and/or developmental disabilities.
- to provide officers with tools to assist them in de-escalating people in crisis. The following issues are emphasized:
  - maximize officer and civilian safety,
  - increase the officer's effectiveness,
  - increase the officer's professionalism, and
  - decrease civilian complaints and civil liability issues.

- Recognizing that a person's credibility is sometimes questioned based on his or her disability, this training is designed to increase an officer's awareness of the issues around stereotypes and stigma. Verbal and non-verbal communication skills are stressed (demonstrating active listening skills; being clear and concise; thinking of alternative ways to communicate with people who may have temporary or permanent cognitive difficulty; etc.).
- To also train officers on:
  - mental health conditions/disorders,
  - recognition of a disability,
  - Vermont laws related to mental health treatment and voluntary and involuntary hospitalization procedures,
  - Americans with Disabilities Act of 1990, as amended in 2009
  - the roles of the mental health system and the police, and
  - state and local resources.

The leaders of this project felt strongly that stakeholders with a wide array of perspectives should participate and that individuals who have been diagnosed with a psychiatric disability must be included in order for the training to be of the highest quality. These individuals' perspectives on issues such as stereotypes, stigma, involuntary treatment and legal issues are invaluable. The involvement of Peer Education Program Staff from Washington County Mental Health Services has been very well received. The Staff present on their experiences with mental illness and how it has affected their lives, any positive or negative experience they have had with police, suggestions for how to have the most positive interactions, and also answer any questions that students have. We are tremendously grateful for the peer educators' participation and their perspective has been crucial to the success of these trainings.

The Act 80/Act 79 Advisory Groups are very appreciative of the support and commitment demonstrated by the VCJTC and the law enforcement community to these critical trainings.

## RECOMMENDATIONS

In 2015, the full Act 80 Advisory Group met in January, April, and October. A subcommittee working with Crime Research Group on its evaluation and report met four additional times. Both groups focused on implementing the 2014 recommendation to use appropriated funds to contract with Crime Research Group to design and carry out an evaluation of the current training program. The Advisory Group also engaged in extensive discussions on how best to further the goals of the Act 80 training generally. The report and recommendations which resulted from these combined efforts is attached. The Act 80 Advisory Group further recommends the following:

1. Based upon the results of the Crime Research Group, the Act 80 Advisory Group should work together to identify areas for adjustment and improvement of the training curriculum.

2. Continue to engage community partners, including peers, to encompass broader feedback on the Act 80 training.
3. Begin the process of implementing adjustments to the training curriculum which reflect data and feedback.
4. Since its initial development, the curriculum of the Act 80 Training has evolved to reflect current understandings of best practices. The Act 80 Advisory group should assess the need for and begin the development of a curriculum for ongoing refresher training to benefit officers who received earlier versions of this training.
5. To maintain an ongoing evaluation of Act 80 Training, the Act 80 Advisory group should review the course evaluations and consider conducting a follow-up survey with participants.

## **CONCLUSION**

The Office of the Attorney General and the Vermont Criminal Justice Training Council are honored to have this opportunity to administer these critical trainings and funds. We welcome advice from the Administration, the Legislature, and the public on the development and implementation of these trainings.

## **APPENDIX A**

### **Act 80 Advisory Group**

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## **APPENDIX B**

### **Act 80 Original Curriculum Committee**

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## **APPENDIX C**

### **Vermont Officers by Agency Who Have Received Act 80 Training**

***Please note: This does not include individuals trained who have left Vermont law enforcement, nor does it include officers who have received mental health response training elsewhere.***

<b>Agency Name</b>	<b>Total Trained</b>	<b>Total Employees</b>	<b>Percent Trained</b>
Addison County Sheriff's Office	5	14	36%
Barre City Police Department	26	31	84%
Barre Town Police Department	11	29	38%
Bellows Falls Police Department	3	16	19%
Bennington County Sheriff's Office	19	29	66%
Bennington Police Department	21	27	78%
Berlin Police Department	10	10	100%
Bradford Police Department	4	4	100%
Brandon Police Department	6	9	67%
Brattleboro Police Department	24	24	100%
Brighton Police Department	1	2	50%
Bristol Police Department	3	6	50%
Burlington Police Department	94	100	94%
Caledonia County Sheriff's Office	11	17	65%
Canon Police Department	1	1	100%
Capitol Police Department	4	5	80%
Castleton Police Department	5	11	45%
Chester Police Department	2	8	25%
Chittenden County Sheriff's Office	24	27	89%
Colchester Police Department	8	28	29%
Dover Police Department	6	8	75%
Essex County Sheriff's Office	10	17	59%
Essex Police Department	15	32	47%
Fair Haven Police Department	3	12	25%
Fairlee Police Department	1	1	100%
Franklin County Sheriff's Office	9	29	31%
Grand Isle County Sheriff's Office	5	14	36%
Hardwick Police Department	8	9	89%
Hartford Police Department	18	23	78%
Hinesburg Community Police	4	8	50%
Killington Police Department	2	3	67%
Lamoille County Sheriff's Office	17	35	49%

Ludlow Police Department	5	7	71%
Lyndonville Police Department	3	3	100%
Manchester Police Department	8	14	57%
Middlebury Police Department	9	15	60%
Milton Police Department	11	19	58%
Montpelier Police Department	15	18	83%
Morristown Police Department	6	12	50%
Mount Tabor Police Department	1	2	50%
Newport Police Department	9	17	53%
Northfield Police Department	9	10	90%
Norwich Police Department	5	6	83%
Orange County Sheriff's Office	20	28	71%
Orleans County Sheriff's Office	8	23	35%
Pittsford Police Department	3	8	38%
Randolph Police Department	10	10	100%
Richmond Police Department	6	6	100%
Royalton Police Department	3	3	100%
Rutland City Police Department	34	38	89%
Rutland County Sheriff's Office	28	37	76%
Rutland Town Police Department	5	5	100%
Shelburne Police Department	12	18	67%
South Burlington Police Depart.	40	41	98%
Springfield Police Department	10	17	59%
St. Albans Police Department	14	24	58%
St. Johnsbury Police Department	6	15	40%
Stowe Police Department	20	22	91%
Swanton Police Department	7	15	47%
Thetford Police Department	4	5	80%
UVM Police Services	19	20	95%
Vergennes Police Department	7	10	70%
Vermont State Police	329	338	97%
VT Attorney General's Office	3	4	75%
VT Department of Fish & Wildlife	36	46	78%
VT Department of Liquor Control	7	16	44%
VT Department of Motor Vehicles	13	28	46%
VT Secretary of State	1	5	20%
Washington County Sheriff's Office	33	39	85%
Waterbury Police Department	3	8	38%
Weathersfield Police Department	2	6	33%
Williston Police Department	8	16	50%

Wilmington Police Department	4	6	67%
Windham County Sheriff's Office	12	39	31%
Windsor County Sheriff's Office	8	25	32%
Windsor Police Department	5	12	42%
Winhall Police Department	4	11	36%
Winooski Police Department	15	21	71%
Woodstock Police Department	6	10	60%
<b>Total:</b>	<b>1073</b>	<b>1646</b>	<b>65%</b>