Brattleboro Citizens Police Communications Committee

Minutes of Regular Meeting July 27, 2020

NOTE: Per the “Stay Home – Stay Safe” order issued by Governor Scott, this meeting was held remotely with no physical location using GoToMeeting.

Present: Leesette Bengar, Gary Stroud, Bruce Sweeter, Jason Schmotzer, Karen Tyler, Captain Carrignan, Jan Anderson

Missing: N/A

Call to Order: Leesette Bengar called the meeting to at 1730: Quorum Present

Review and Approval of Minutes: November minutes were reviewed. Leesette Bengar moved to approve and Gary Stroud seconded. All voted in favor, so approved.

Meeting Discussions:

- New members, Jason & Karen, were welcomed to the committee.
- Jan discussed open meeting laws with the committee and advised of procedures that have changed with the Governor’s Stay Home – Stay Safe Order
- Election of officers.
  Leesette Bengar was nominated by Gary Stroud for Chair of the Board, Bruce Sweeter seconded, all voted in favor, so appointed.  
  Leesette Bengar nominated Gary Stroud for Vice Chair of the Board, Bruce Sweeter seconded, all voted in favor, so appointed.  
  Leesette Bengar nominated Bruce Sweeter as Clerk, Gary Stroud Seconded, all voted in favor, so appointed.
- Jeffery Rivard complaint was read regarding assault allegations. The complaint was difficult to read due to the handwriting. Captain Carrignan gave a summarized review. There were several allegations. One allegation was about the way he was handle when arrested. Another complaint was he was unhappy with the result of the investigation. On another incident he was also unhappy with the outcome of that investigation. He would like to be contacted by the CPCC and Leesette will follow up with him. This incident is under review and shall remain as unfinished business.
- Discussed the outcome of the complaint from Shawn Odell regarding Officer Emery. After internal investigation by Lt. Perkins, the complaint was founded. Officer Emery was disciplined and retrained. The committee agreed with the findings. This complaint is now closed
- Discussed the outcome of the complaint files by Margaret Habich Morgan & Fredrick Habich regarding the arrest of Mr. Habich. These complaints
were not filed directly with BPD, instead with the Attorney General’s office and the Vermont Criminal Justice Training Council. There were several issues at hand in the complaint:

1 – Excessive use of force
   Force used during this incident was justified due to circumstances viewed in BodyCam footage.

2 – Denied medical care for alleged injuries
   Officers called for an ambulance to the scene. Rescue Inc. & BFD arrived on scene. Mr. Habich was transported to BMH. He refused treatment at BMH including x-rays and cat scans. Claim unfounded.

3 – Denied access to phone call
   Access was denied due to Mr. Habich’s behavior, violence and attempted vandalism. He was transported to SSCF and allowed access to the phone there approximately 2 hours later. Mr. Habich was denied access, but reasoning was justified. Exonerated.

4 – Denied access to food or water
   BWC & station video show Mr. Habich being provided multiple glasses of water and food. Water was turned off to the cell after attempt to vandalize the sink/toilet assembly and flood the cell. No evidence this act occurred. Unfounded.

5 – Vehicle seized and no notification issued re: warrant
   Investigating officer applied for warrant. There was a one day delay which is not unreasonable. Mr. Habich was notified to pick up the vehicle the same day the warrant was issued. Mr. Habich was provided a copy of the warrant the following day when he arrived. This is all captured on BWC video. No evidence this act occurred. Unfounded.

The committee agreed with the findings. This complaint is now closed.

- Update regarding the complaint against ACO Barrows; there have been a series of scheduling conflicts due to Covid-19, medical issues and vacation. We will be updated again once this is resolved.

**Public Participation:**

- There was no public in attendance

**Move to Adjourn:** Leesette Bengar moved to adjourn 18:04; Gary Stroud seconded. All approved.