

## Trustee Report 2023

### Incidents:

Swanton Village Police handled a total call volume of 2,759 incidents in 2023, up approximately 17% from 2,352 in 2022 and down approximately 4% from 2884 in 2021. As discussed in last year's report this decrease followed by an almost equal increase in call volume may be due in part to transitioning to a new Computer Aided Dispatch / Records Management System and the adjustment to slightly different call type nomenclature. Additionally, officers were very busy addressing drug activity in Swanton with a record number of search warrant incidents.

We responded to 1,839 incidents in the Village, up approximately 41% from 1307 in 2022, and 920 incidents in the Town of Swanton, up approximately 27% from 725 in 2022.

### Traffic:

SVPD performed 446 traffic stops in total (up 11% from 401 in 2022), stopping 143 vehicles in the Village issuing 136 warnings and 65 tickets. Approximately 95% of the traffic stops in the Village resulted in a warning while 45% resulted in a ticket. There is some overlap in the percentage calculation because a single traffic stop may result in both warnings and tickets being issued.

SVPD stopped 200 vehicles in the Town issuing 169 warnings and 77 tickets. Approximately 85% of the stops in the Town resulted in a warning while 39% resulted in a ticket.

Aggregating the data for the Village and Town (343 traffic stops) yields SVPD issuing warnings in 89% of traffic stops and tickets in 41% of traffic stops. SVPD wrote \$31,103 worth of traffic tickets with \$11,862 worth of traffic tickets in the Village and \$13,314 in the Town. Swanton Village Police Officers made 22 arrests for Operation after Suspension or Revocation of License, commonly referred to DLS. There were 13 arrests for DLS in the Village and 7 arrests for DLS in the Town. We also made 22 Driving Under the Influence arrests, commonly referred to as DUI. There were 7 arrests for DUI in the Village and 11 arrests for DUI in the Town. Approximately 10% of traffic stops resulted in an arrest, given 446 traffic stops resulted in 45 total arrests.

Race data associated with traffic enforcement show SVPD officers issued 359 warnings to white operators and 155 tickets to white operators. Operators may be issued multiple warnings and/or tickets so this data does not necessarily reflect individual operator numbers. However, the data indicates 30.2% of documented enforcement against white operators was tickets versus 69.8% warnings. SVPD stopped 20 black operators issuing 12 tickets and 16 warnings. Black operators represent 4.5% of all traffic stops.

Some jurisdictions like Burlington use population data as a metric to attempt to determine if there is racial disparity in enforcement action. Burlington uses census and crash data (black operators comprise approximately 8% of the driving population according to crash data) to seek disparity in enforcement action and then attempts to determine whether disparity indicates racial

bias on the part of the officers. It is my belief that this is an inaccurate metric because enforcement action should never mirror population data. Law enforcement, whether it is criminal or civil, is based on subject behavior. If the metric or method of measurement used in a scientific method analysis is flawed, then the conclusion and subsequent modification of hypothesis will not reflect reality. However, for the sake of comparison, I will use population data. One data set I was able to locate for Swanton indicates that 94.8% of the population is white, 1.1% is Hispanic, 0% black, 1.1% American Indian, .7% Asian, 3.3% multi racial. Census data for Franklin County indicates: 91.1% white, .7% black, 1% American Indian, .6% Asian, .6% other race, 5.9% multi-racial. When using crash data specific to Swanton from 2022 as the measure of population we find Swanton is: 97.7% white, 1.2% black, 1.2% Native American. In taking a closer look at the black operators that were stopped, only two of the 20 operators stopped reside in Swanton representing one-half of one percent of all traffic stops. Five of the 20 operators stopped were targets associated with drug investigations and these stops were externally generated or investigatory. In sum, there appears to be no disparity in traffic enforcement by Swanton Officers when using population data as the metric.

### **Arrests:**

Swanton Village Police Department Officers made 238 arrests (charges a 52% increase over 2022) over the course of 2023. Approximately 9% of all incidents resulted in an arrest. The 238 criminal charges represent 152 individuals; 77% were issued citations to appear in court; 12% were lodged; 3% were requests for arrest warrants; and 8% were arrests on court-ordered warrants.

Race data associated with arrests is as follows: 152 total arrests, 130 white, 20 black, 2 unknown. This yields 86% of arrestees were white, 13% black, and 1% unknown. There appears to be racial disparity in arrests when using population data as the metric, however, it is important to understand the context of these arrests. Some low-level charges such as disorderly conduct allow officers to exercise more discretion, while charges that involve more violent crimes or felonies are non-discretionary in that officers should always make arrests. Out of the 20 arrests of black people, 4 were related to drug possession/distribution, 2 were arrests on warrants, 2 were protection order violations, 1 for domestic assault, 3 for simple assault, 3 for DUI, 1 for larceny from a person, 1 for false pretenses, 1 for failure to return rental vehicle, and 2 for DLS. Out of all of these charges, 2 allow for some discretion (DLS), hence 18 of the 20 arrests were non-discretionary. Controlling for non-discretionary arrests yields 2 arrests which is 1.3% aligning with population data.

### **Use of Force:**

SVPD Officers used force in 16 incidents in 2023 compared to 20 in 2022. Thus, officers used force in .58% of the incidents they responded to which is lower than the national average of 1.8% of incidents from a sample of 60 million police civilian contacts.

Race data indicates no bias on the part of SVPD officers as 3 of the 16 incidents involved force on black people. Two of the uses of force on black people were on the same individual in two different incidents. These were low-level uses of force, and the individual suffers from self-

reported mental health issues. The context of these incidents is important. One incident involved a black male who was involved in a drug investigation. Officers were investigating a burglary that occurred in the Village where a firearm was stolen from a home and traded for crack cocaine in Enosburgh. Officers obtained a search warrant for the residence in Enosburgh and during the course of that investigation arrested 4 subjects, 3 white and 1 black. The black male and white female from Taunton, MA were found in possession of 41 grams of crack cocaine, several firearms and firearm parts, and several thousand dollars of US currency. The use of force was associated with the execution of the search warrant when officers pointed their firearms at the suspects until everyone was secure. No one was injured.

There were two other incidents where a low level of force was used on the same black male in both incidents. These incidents were related to an ongoing domestic situation between the male and a female both residents of the Village. During one incident the male failed to immediately stop his vehicle when the officer attempted a motor vehicle stop and when the vehicle came to rest the operator immediately began to exit his vehicle. Due to the unknown circumstances, the officer began to remove his firearm from his holster until the male exited the vehicle and laid on the ground of his own volition. No one was injured.

During the second incident with the same male, the male violated a restraining order and was fleeing the area on foot. Officers located the male in the wooded area behind Hannaford and due to the male attempting to conceal himself in the woods the officer drew his firearm until the suspect eventually complied after several verbal commands to exit the woods. The subject was then taken into custody without incident. No one was injured.

Subjects suffered minor injuries in 3 of the 16 use of force incidents. While officers also suffered minor injury in 4 of the 16 incidents related to use of force. All three subjects who suffered minor injury were white. The context of the incidents where subjects suffered minor injury were all related to DUI incidents: an intoxicated female who crashed her car into a field punched an officer in the face prior to being brought to the ground, a male subject who crashed his car and fled from officers into a quarry. Officers pursued the male through the quarry and eventually had to take the subject to the ground to place him in custody. It is unclear if the male suffered injury due to the use of force or because he fell off a small cliff prior to officers engaging the suspect, and finally an intoxicated male subject who resisted an officer attempting to place him under arrest for DUI. The arresting officer was struggling with the subject pushing the subject against his vehicle when a second officer showed up and brought the subject to the ground.

#### **Drug and Criminal Enforcement:**

The Swanton Village Police Department had 53 search warrant incidents over the course of 2023 compared to 7 search warrants in 2022. Although all of these incidents may not directly correlate with the execution of search warrants, they are indicative of the great investigative work by SVPD officers. The norm for SVPD over the past decade has been approximately 5 search warrants per year. The majority of the search warrants in 2023 were associated with drug activity in the community. Some examples of the investigative work performed by SVPD officers are: In

January the first warrant was executed on a motor vehicle registered in New York and officers recovered \$5,000 cash in the vehicle.

Also in January, a second warrant was executed on a motor vehicle after an officer was called to a residence in the village for a trespassing issue and during his initial contact a male suspect dove out of the window of the home. The officer surveilled the residence not being sure what he had, and observed a different suspect loading firearms into a vehicle. When the officer followed the vehicle from the scene the vehicle fled at a high rate of speed and was eventually seized. The search warrant yielded 57 grams of cocaine base and 5 firearms.

A second search warrant was executed on the residence associated with this search warrant resulting in additional evidence related to firearms being recovered. The individual who dove out of the window was subsequently identified as Zaukikon Roy from Brooklyn, NY. Roy was eventually arrested in Maine for committing a homicide in Leicester, VT on 6/4/2023.

Also in January, officers executed a search warrant at a residence in Enosburgh related to a burglary that occurred in the Village. Officers arrested two subjects from Taunton, MA seizing 41 grams of cocaine base, \$6032 cash, recovering 5 firearms including the stolen firearm from the burglary in the village as well as multiple firearm parts including 2 machine gun conversion devices.

In March, officers executed another search warrant in Highgate just outside of the Village related to drug distribution. During this warrant officers arrested two males from Springfield, MA for distributing narcotics and recovered 13 grams of cocaine, 73 bags of fentanyl, and \$1850 cash.

Also, in March officers executed a search warrant related to drug distribution on Covey Drive. During the execution of this search warrant officers encountered two Blood gang members who were on federal probation out of Jersey City, NJ. Their federal probation was revoked.

In May officers engaged in an interdiction stop related to drug distribution and seized 520 bags of fentanyl and .5 grams of cocaine base arresting a St. Albans resident. A search warrant was subsequently executed on this vehicle resulting in officers locating 29 Suboxone strips and crushed pills.

In July officers executed a search warrant on a vehicle they seized during a traffic stop at the end of June, locating 2 grams of cocaine base, 2.4 grams of fentanyl, several pills, LSD, a firearm, and drug paraphernalia resulting in the arrest of a St. Albans resident.

In August an interdiction stop on S. River St. resulted in officers seizing 18 grams of cocaine base, and 20 bags of fentanyl resulting in the arrest of a St. Albans resident who was being investigated for federal drug trafficking and firearms violations. This suspect fled the area upon release and was arrested in January of 2024 by the U.S. Marshals.

In September a search warrant was executed on a residence in Alburgh related to a drug distribution investigation resulting in officers recovering 25 grams of cocaine, 13.8 ounces of marijuana, and drug paraphernalia. The Alburgh homeowner was arrested.

In September officers executed a search warrant on the vehicle seized in the traffic stop on S. River St. in August recovering 4.1 grams of cocaine base and a stolen firearm.

In September officers executed a search warrant on another vehicle multiple times related to a drug distribution investigation yielding investigative leads.

In October officers executed a search warrant on a vehicle locating a silicone container containing trace amounts of white powder.

In October officers applied for multiple warrants associated with electronic devices related to drug investigations.

In November officers executed a search warrant on a residence in the town yielding residual amounts of narcotics associated with an investigation of individuals from PA.

In November officers executed a search warrant on a residence on Grand Avenue associated with an aggravated assault that occurred on the Rail Trail at Robin Hood Drive where a gun was discharged. Officers recovered evidence at the residence.

In December officers executed a search warrant on a rental vehicle that was seized after the operator was found to be in possession of cocaine.

In sum, the majority of the above investigative work is related to drug distribution activity in Swanton Village and Town. It is noteworthy that three of the individuals associated with these investigations were involved in homicides with one individual who was a target of drug trafficking in Swanton, ending up one of the victims in the double homicide in Burlington.