

TESTIMONY OF CHIEF JAMES W. BAKER

BEFORE THE UNITED STATES SENATE

COMMITTEE ON THE JUDICIARY

RUTLAND, VT

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Senator Leahy and members of the Senate Judiciary Committee, on behalf of Mayor Chris Louras, Mr. David Allaire the President of Board of Alderman, elected officials of Rutland City government, members of the Police Commission, the citizens of Rutland, and the men and women of the Rutland City Police Department, welcome to the City of Rutland, Vt. We are proud of this great City and we are honored you have taken the time to bring a field hearing to us to learn of the good work being done here to address the challenges of substance abuse and in particular opiate abuse.

I want to echo the comments of U.S. Attorney Tris Coffin that the City of Rutland is a terrific community with a strong and proud history. This hearing is being held in a building that is representative of Rutland's proud history. This building dates back to the 1800s when the Howe Scale Company, was based here. After years of productive output, Howe Scale fell on hard times and the company closed in the early 1980s leaving this expansive manufacturing complex, with more than 330,000 square feet, vacant. What to do with this vast structure soon became the source of intense public debate and disagreement.

The debate about the future of the Howe Center has been captured and memorialized. It serves as a reminder of the challenges Rutland has faced. It serves as a reminder of the grit of this great city. Just as Rutland created a new vision for the Howe Center, we are committed to remaking Rutland into one of the healthiest and safest cities in the United States. In fact, the Vision Statement of Project VISION is:

Reclaiming Rutland: Healthiest, safest and happiest community in America!

We have the people, the infrastructure and the will to get it done.

Not unlike other communities, the city of Rutland has faced the challenges of illegal drug activity before. In the early 1990s, as a young supervisor of a multi-agency drug task force, I worked out of Rutland and was involved in countless undercover drug operations that resulted in arrests, prosecutions and convictions for drug distribution. The drugs of choice were cocaine and marijuana. At that time, I was convinced that the resources and efforts we applied had solved the drug problem in Rutland. Fourteen years later, I became the Director of the Vermont State Police and Rutland City Police Chief, Tony Bossi, sought help from the State Police with a new and emerging drug problem. The call for help was based on the fatal shooting on Grove Street during a drug deal and reports of violence involving firearms. The city had reached the

tipping point on drug activity and violence. After a significant commitment of resources, a drug sweep rounded up more than 40 defendants in an operation known as *Operation Marble Valley*. The cases had strong out-of-state influences marked with a serious presence of gun culture and the drugs involved were cocaine, crack cocaine and heroin. At the press conference announcing the arrests, officials made the point that these arrests were meant to change the direction of the drug culture in Rutland.

Around the same time under Senator Leahy's leadership, a U.S. Senate Judiciary Committee field hearing was held in this very room. There was testimony about the need for prevention, treatment and enforcement. The community rallied for a period of time.

In January 2012, I arrived in Rutland as the Interim Chief of Police to find there was yet another emerging drug challenge. This time the drug was heroin. I found a police department that was demoralized and a community who had no trust in the police department. The dispirited atmosphere stemmed from the fact that there was an unrealistic expectation that the police department could and should single handedly resolve the issues of illegal drug trafficking. As more pressure was applied to the police department to act, the more aggressive the law enforcement actions became. The measure of success was the number of arrests made and the amount of drugs seized. The trouble with those success measures was that history clearly showed that arrests alone were not going to change the environment because it does not take into account the underlying social issues relating to drugs. Not one of the underlying issues that lead to addiction is under the control of the police, yet the solutions to the issue were laid at the door step of the police department. It became apparent that in order to affect change in our escalating drug crisis; a crisis from our experience that originates at its base from initial addiction to prescribed medications, the situation was going to require all hands on deck.

As we began the conversation with our non-law enforcement partners, we worked to gather a coalition of local, state, county and federal enforcement partners to change the culture and environment on the street by employing laser-focused enforcement operations. That effort resulted in *Operation Fedup* and was coordinated by ATF and our others partners. The first operations seized nearly 8,000 bags of heroin and approximately \$90,000 in cash. That investigation led to the connection of a drug distribution network in New York City. The furtherance of the investigation under the guidance of U.S. Attorney Coffin, the DEA and FBI, revealed an organization that was responsible for up to 10,000 bags of heroin coming into the Rutland area on a continual 10-14 day basis. It was hard to fathom the depth of the addiction in this area that would require that amount of heroin. It was a shock to all. This was the first epiphany. We could no longer follow the methods deployed in the past if we were to move the ball down the field. The demand for opiates was outstripping our ability to be effective.

The second epiphany came tragically on September 26, 2012 at about 6 PM on Cleveland Ave in the City of Rutland. It was on that day that we lost one of our bright and upcoming stars. Carly Ferro, age 17, was leaving her place of work and entering into her father's car to ride home when she was killed. Carly was killed when a car operated by an individual, who is alleged in court papers to have been huffing aerosols, lost control of the car and struck her. The incident represented yet another critical point in Rutland's history where the grit and determination of

her people was defined. This tragedy became a rallying point – a painful realization that what was happening in our city had to stop. The human costs were too high.

The non-traditional partners we had assembled became focused on creating metrics to measure where we were, and where we needed to go. We began meeting on a regular basis and followed a path modeled and championed by Chief Mike Schirling in Burlington known as Community Intervention Team (CIT). The vision was to join together all the resources available and create a multiplier force to affect the quality of life in Rutland. We brought to the table social service agencies, elected officials, police resources, the domestic violence advocacy community, drug court, corrections, prosecutors at the federal, state and local level, economic development officials, housing coalition officials, the faith community, mediation services, neighborhood citizens and many others.

In the early stages, the group talked and worked on strategies to create metrics using data to measure what success looked like. We worked on supporting and advocating for a methadone clinic. We worked on systems to better communicate across traditional and nontraditional partners. The energy was amazing.

The final epiphany came when Senator Leahy's staff located a grant opportunity from the U.S. Department of Justice Bureau of Justice Assistance. Our coalition refocused and developed a grant application that created the name Project VISION (Viable Initiatives & Solutions through Involvement of Neighborhoods). The grant created a blue print using outcome based modeling that we are following to execute our strategy.

We did not receive the grant. We think our good friends at BJA may have gotten this one wrong! However, we did not give up. The grit and determination of Rutland shined once again and we moved forward. We continued to execute our strategy and we now have an operating structure in place. We have stayed faithful to the concept of utilizing research to validate our processes.

Project VISION serves as an umbrella group that coordinates the functions of three committees. Those committees are Crime and Safety, Substance Abuse, Prevention and Treatment and Neighborhoods and Housing. Each committee is working on unique goals to their individual committee with the understanding that they stay faithful to Project VISION's key values of collaboration for the greater good and renewed focus on the positive.

As result of the collaboration of resources the Rutland City Police Department is now host to a variety of nontraditional partners who operate on the guiding principle that the issues we face associated with substance abuse, mental health issues and quality of life in our neighborhoods are interconnected. That interconnection requires an integrated response.

Today, housed in the Rutland City Police Department building, we have two social workers from the Rutland County Family and Children Center, a domestic violence advocate from the Rutland County Women's Network and Shelter, an Assistant Attorney General, an emergency crisis intervention specialist from Rutland County Mental Health, the Rutland County Early Intervention Coordinator, a School Resource Officer, Animal Control Officer, a Crime Analyst

and a City of Rutland Building Inspector. These resources are coordinated by Captain Scott Tucker, the newly named Executive Director of Project Vision and the Commander of the newly formed Community Outreach Division.

In the police department we are embracing data and technology to identify where we apply these coordinated resources; never missing an opportunity to do case review, create systems of better communication and providing focused prosecution for those causing the most harm to our community. This effort coordinated daily, is brought together on a bi-weekly basis when all committee members attend mapping meetings. In the mapping meetings we look at the locations and the individuals that are causing the most harm. Based on that data, we develop integrated solutions to address each of those individual situations. As an example, in many of these cases the underlying issue of substance abuse and or mental health issues have led to family violence or neighborhood unrest. By having all the resources at the table, we can develop a response that includes more than the police response. This methodology influences better prosecution for proven offenders. Unlike in the past, police suppression is not our first or only choice. We are working at root cause issues.

It is important to note that we do still support and apply aggressive law enforcement to deal with those who choose not to meet our community norms and do serious harm. As an example, the sources of heroin that make a conscious decision to come to Rutland to deal need to understand that their behavior is not going to be accepted or tolerated. That is why we work closely with the Vermont Drug Task Force and our federal partners to apply enforcement resources. We pay close attention to those who choose to do harm in the form of violence against women and children, not accepting that addiction is the cause.

To demonstrate the determination of this great city I would ask anyone in the room who is associated in any way with Project Vision to please raise your hands. These are the faces of determination.

As I close, I want to thank all those partners who have worked to make our story worthy of telling in front of this committee. There are too many to mention, but you know who you are.

Honorable members of the Senate Judiciary Committee, thank you for being here today to take testimony. Senator Leahy, I thank you for your unwavering support for the City of Rutland. It is appreciated by all of us who are working tirelessly to get this right.

Thank you.