

1 (6) Notwithstanding 3 V.S.A. §§ 163(a)(2)(C) and 164(a)(2)(C), the
 2 adult or juvenile diversion programs shall accept cases from the Youth
 3 Substance Awareness Safety Program pursuant to this section, 18 V.S.A.
 4 § 4230f(e)(1), or 18 V.S.A. § 4230f(e)(2). The confidentiality provisions of 3
 5 V.S.A. § 163 or 164 shall become effective when a notice of violation is issued
 6 pursuant to subsection (b) of this section, 18 V.S.A. § 4230f(e)(1), or 18
 7 V.S.A. § 4230f(e)(2), and shall remain in effect unless the person fails to
 8 register with or complete the Youth Substance Awareness Safety Program.

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10 Sec. 4. RESTORATIVE JUSTICE; POST-ADJUDICATION REPARATIVE
 11 PROGRAM WORKING GROUP; REPORT

12 (a) Creation. There is created the Post-Adjudication Reparative Program
 13 Working Group to create a Post-Adjudication Reparative Program (the
 14 “Program”) that promotes uniform access to the appropriate community-based
 15 service providers for individuals sentenced to reparative boards and probation
 16 pursuant to 13 V.S.A. § 7030(a)(2) and (a)(3). The Program should also
 17 establish stable and reliable funding for those providers to operate.

18 (b) Membership. The Working Group shall be composed of the following
 19 members:

- 20 (1) the Commissioner of Corrections or designee;
- 21 (2) the Chief Judge of the Vermont Superior Court or designee; and

1 (3) a representative from each community-based restorative justice
2 provider currently receiving reparative board funding from the Department of
3 Corrections or a designee selected to represent the qualifying providers who is
4 appointed by the providers.

5 (c) Powers and duties. The Working Group shall study the following
6 issues:

7 (1) defining the Program and its scope;

8 (2) determining the offenses that presumptively qualify for referral to
9 the Program;

10 (3) establishing any eligibility requirements for individuals sentenced to
11 a reparative board or probation to be referred to the Program;

12 (4) designing uniform operational procedures for Program referrals from
13 the courts, intake, data collection, participant success standards, and case
14 closures;

15 (5) assessing the necessary capacity and resources of the Judiciary, the
16 Department of Corrections, and the community-based restorative justice
17 providers to operate the Program;

18 (6) exploring an approach to achieving greater funding stability and
19 reliability for the community-based restorative justice providers, including the
20 Designated Agency model; and

1 (7) consulting with the Department of State’s Attorneys and Sheriffs, the
2 Office of the Defender General, and the Center for Crime Victim Services on
3 considerations to incorporate into the Program.

4 (d) Assistance. The Working Group shall have the administrative,
5 technical, and legal assistance of the Department of Corrections.

6 (e) Report and updates.

7 (1) On or before November 15, 2025, the Working Group shall submit a
8 written report in the form of proposed legislation to the Joint Legislative
9 Justice Oversight Committee, the Senate Committee on Judiciary, and the
10 House Committees on Corrections and Institutions and on Judiciary.

11 (2) On or before January 15, 2025, the Working Group shall provide an
12 update to the Senate Committee on Judiciary and House Committees on
13 Corrections and Institutions and on Judiciary concerning any progress.

14 (3) On or before July 15, 2025, the Working Group shall provide an
15 update to the Joint Legislative Justice Oversight Committee and on Judiciary
16 concerning any progress.

17 (f) Meetings.

18 (1) The Chief Judge of the Vermont Superior Court or designee shall
19 call the first meeting of the Working Group to occur on or before July 15,
20 2024.

21 (2) The Working Group shall meet not more than six times per year.

1 (2) The Chief Judge of the Vermont Superior Court or designee shall
2 serve as the Chair of the Working Group.

3 (3) A majority of the membership shall constitute a quorum.

4 (4) The Working Group shall cease to exist on January 15, 2026.

5 (g) Compensation and reimbursement. Members of the Working Group
6 who are not employees of the State of Vermont and who are not otherwise
7 compensated or reimbursed for their attendance shall be entitled to
8 compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010
9 for not more than six meetings per year.

10 Sec. 7. DEPARTMENT OF STATE’S ATTORNEYS AND SHERIFFS;
11 POSITION; APPROPRIATION

12 (a) On July 1, 2024, a new, permanent, exempt Director of Policy position
13 is created in the Department of State’s Attorneys and Sheriffs. In addition to
14 any other duties deemed appropriate by the Department, the Director of Policy
15 shall supervise the development, oversight, and compliance work related to the
16 Council’s internal, external, and State-mandated policies.

17 (b) The position of Director of Policy established in subsection (a) of this
18 section shall be subject to a General Fund appropriation in FY 2024.

19 Sec. 8. COMMUNITY JUSTICE UNIT; DIVERSION PROGRAM
20 ADMINISTRATION PLAN; REPORT

1 In counties where there is more than one pre-charge and post-charge
2 diversion provider, the Community Justice Unit of the Office of the Attorney
3 General shall collaborate with each county’s juvenile and adult pre-charge and
4 post-charge providers and each county’s State’s Attorney or designee to
5 develop a plan to streamline the administration and provision of juvenile and
6 adult pre-charge and post-charge diversion programs on or before July 1, 2026.
7 The Community Justice Unit shall report on such plan in the 2026 annual
8 report required pursuant to 3 V.S.A. §§ 163(b)(2) and 164(b)(2).

9 Sec. 10. REDESIGNATION

10 24 V.S.A. §§ 1961–1969 are redesignated at 28 V.S.A. §§ 915–923.

11 Sec. 9. REPEALS

12 (a) 3 V.S.A. § 163(b)(1)(A) is repealed on July 1, 2029.

13 (b) 3 V.S.A. § 164(b)(1)(A) is repealed on July 1, 2029.

14 Sec. 11. EFFECTIVE DATES

15 This act shall take effect on July 1, 2024 except that Sec. 1 (juvenile and
16 adult pre-charge and post-charge diversion) shall take effect on July 1, 2025.

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1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE

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