

H.175

An act relating to modernizing the Children and Family Council for
Prevention Programs

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 33 V.S.A. chapter 33 is amended to read:

§ 3301. DEFINITIONS

As used in this chapter:

(1) “Council” means the ~~Children and Family Council for Prevention
Programs~~ Council for Equitable Youth Justice.

(2) ~~“Primary prevention” means efforts to reduce the likelihood of
juvenile delinquency, truancy, substance abuse, child abuse, and other socially
destructive behaviors before intervention by authorities~~ “DCF” means the
Vermont Department for Children and Families.

(3) “JJRA” means the federal Juvenile Justice and Delinquency
Prevention Act of 1973 as reauthorized and as amended by the Juvenile Justice
Reform Act of 2018, 34 U.S.C. § 11133.

(4) “OJJDP” means the Office of Juvenile Justice and Delinquency
Prevention within the U.S. Department of Justice.

§ 3302. ~~CHILDREN AND FAMILY COUNCIL FOR PREVENTION~~

~~PROGRAMS~~ COUNCIL FOR EQUITABLE YOUTH JUSTICE

~~(a) A Children and Family Council for Prevention Programs is established. The Council shall consist of 21 members who shall be appointed by the Governor with the advice and consent of the Senate for three year terms. In the appointment of the members, consideration shall be given to the selection of persons who will adequately represent the interests of the beneficiaries of the primary prevention programs~~ Creation. There is created the Council for Equitable Youth Justice to serve as the State advisory group for Vermont pursuant to 34 U.S.C. § 11133. The Council supports compliance with the core requirements of the JJRA and promotes an effective Vermont juvenile justice system consistent with the legislative findings under 33 V.S.A. § 5101a.

~~(b) The Council shall elect a chairperson, vice chairperson, and clerk from its members who shall serve for one year or until their successors are elected~~ Membership.

(1) The Council shall consist of up to 25 members who shall be appointed by the Governor with the advice and consent of the Senate for three-year terms.

(2) In appointing members, consideration shall be given to the selection of persons who adequately represent the interests of youth who are in the juvenile justice system and their families.

(3) Membership shall be consistent with the federal requirements for State advisory groups pursuant to 34 U.S.C. § 11133(a)(3).

(4) A majority of the members, including the Chair, shall not be full-time employees of federal, State, or local government.

~~(c) A majority of the members of the Council shall constitute a quorum. The Council shall act only by vote of a majority of its members present and voting at a meeting at which a quorum is in attendance~~ Officers. The Council shall elect a chair, vice chair, and secretary or treasurer, or both, from its members who shall serve for one year or until their successors are elected.

(d) Vacancy. In the event a vacancy occurs on the Council, the vacancy shall be filled in the same manner as provided in ~~subsection (a)~~ subdivision (b)(1) of this section. The term of a person appointed to fill a vacancy shall terminate on the date on which the original appointment would have terminated if the vacancy had not occurred.

(e) Compensation. Council members are authorized to receive per diem compensation from federal funds as specified in 32 V.S.A. § 1010(b).

(f) Quorum. A majority of the members of the Council shall constitute a quorum. The Council shall act only by vote of a majority of its members and voting at a meeting at which a quorum is in attendance.

§ 3303. ~~COUNCIL; DUTIES~~ COUNCIL DUTIES AND RESPONSIBILITIES

~~(a) The Council shall assist State agencies and the departments in the development, improvement, and coordination of primary prevention programs~~

~~and activities at the State and local levels. In providing this service, the Council shall~~ Subject to the provisions of 32 V.S.A. § 3309, the Council shall support monitoring and reporting compliance with the core requirements of the JJRA, including:

(1) ~~acquire and provide pertinent research data and technical assistance related to the development and practice of primary prevention programs~~ the deinstitutionalization of status offenders;

(2) ~~develop a State primary prevention plan that coordinates and consolidates the primary prevention planning efforts of the State agencies and departments specified in section 3305 of this title~~ the separation of juveniles from incarcerated adults;

(3) ~~evaluate and prepare recommendations on the prevention policies and programs developed and implemented under section 3305 of this title and submit the recommendations on or before January 1 to the Governor, the House Committees on Human Services and on Appropriations, and the Senate Committees on Health and Welfare and on Appropriations~~ the removal of juveniles from adult jails and lockups; and

(4) the reduction of racial and ethnic disparities in Vermont's juvenile justice system.

(b) [Repealed.]

~~(c) Subject to the provisions of 32 V.S.A. § 5, the Council may apply for and receive federal or private funds, or any combination thereof in order to accomplish the purposes of this chapter. To the extent that funding under the Juvenile Justice and Delinquency Prevention Act of 1974, as amended, permits, the Council may award grants to State and local organizations for primary prevention activities in accordance with the provisions of that act~~
Subject to the provisions of 32 V.S.A. § 5, the Council may apply for and receive federal funds for activities consistent with the legislative findings pursuant to 33 V.S.A. § 5101a and the requirements of the JJRA. The Council may obtain grants for activities pursuant to 34 U.S.C. § 11133(a)(9).

~~(d) The Council shall be attached for administrative purposes to the Agency of Human Services~~ On December 1, 2024, and every three years thereafter, the Council shall, in coordination with DCF, develop a State juvenile justice plan designed to promote an effective juvenile justice system. The plan shall be consistent with the requirements of the JJRA and the legislative findings pursuant to 33 V.S.A. § 5101a.

(e) On January 15, 2025, and every two years thereafter, the Council shall submit a written report to the Governor, the Joint Legislative Justice Oversight Committee, and DCF describing the efforts it has made to comply with the requirements of the JJRA, including the reduction of racial disparities and improving Vermont's juvenile justice system. The report shall include an

overview of federal funds received and expended to address these purposes and recommendations to improve the juvenile justice system.

(f) In carrying out its duties and responsibilities, the Council shall rely on all available data related to the State's juvenile justice system and shall make efforts to include youth and family voices, particularly the voices of youth and members of their families who have been impacted by the system.

§ 3304. ~~STATE PRIMARY PREVENTION PLAN~~

~~(a) The State Primary Prevention Plan shall provide for the use of State resources in ways that will strengthen the commitment of local communities to altering conditions that contribute to delinquency or other problem behaviors so that the burden of State-funded treatment and crisis-oriented service programs will be reduced. The Plan shall set forth specific goals, objectives, and key result areas and shall include proposals to integrate and build upon successful methods of primary prevention.~~

~~(b) By July 1 of each even-numbered year, the Council shall revise the State Primary Prevention Plan, which shall be submitted to the Governor, the House Committee on Human Services, the House Committee on Appropriations, the Senate Committee on Health and Welfare, and the Senate Committee on Appropriations. [Repealed.]~~

§ 3305. ~~IMPLEMENTATION AND EVALUATION OF PRIMARY
PREVENTION PLAN~~

~~Primary prevention policies and implementation practices shall be targeted to specific goals, objectives, and key result areas and shall be consistent with the State Primary Prevention Plan. The following departments and agencies shall formulate the policies and practices:~~

- ~~(1) the Agency of Education;~~
- ~~(2) the Agency of Human Services, including all departments;~~
- ~~(3) the Department of Motor Vehicles;~~
- ~~(4) the Office of the Attorney General;~~
- ~~(5) the Agency of Commerce and Community Development;~~
- ~~(6) the Department of Labor;~~
- ~~(7) the Department of Public Safety; and~~
- ~~(8) the Department of Forests, Parks and Recreation. [Repealed.]~~

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Sec. 2. EFFECTIVE DATE

This act shall take effect on July 1, 2023.