

**Sunset Advisory Commission
Board and Commission Review**

Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel

1. In general, how often does the board and commission meet. Provide specific information on how often the board or commission has met in the past two fiscal years. Provide information on where agendas and minutes of meetings can be found.

The panel has was created May 31, 2017, and has met 11 times since then. It met on August 29, 2017, October 3, 2017, November 14, 2017, January 9, 2018, February 13, 2018, May 22, 2018, June 12, 2018, July 10, 2018, August 14, 2018, September 11, 2018, and October 9, 2018.

The minutes of the panel can be found here: <http://ago.vermont.gov/racial-disparities-criminal-juvenile-justice-system-advisory-panel/>. Video recordings of several panel meetings can also be found here: <https://www.orcamedia.net/series/racial-disparities-advisory-panel>.

2. Provide the names of members of the board or commission, their term length and expiration, their appointing authority, and the amount of any per diem they receive.
 - Attorney General Appointments: Jessica Brown, Geoffrey Jones, Etan Nasreddin-Longo, Chief Don Stevens, Shela Linton.
 - Executive Director of VT Criminal Justice Training Council: Richard Gauthier
 - Attorney General or designee: David Scherr
 - Defender General or designee: Rebecca Turner
 - Executive Director of State's Attorneys and Sheriffs Department or designee: absent
 - Chief Superior Judge: Brian Grearson
 - Commissioner of Corrections or designee: Lisa Menard, in her absence Monica Weeber
 - Commissioner of Public Safety or designee: Lt. Gary Scott
 - Commissioner of Department of Children and Families or designee: Ken Schatz, in his absence Karen Vastine.

Panel members serve four-year terms. But the panel is set to expire in 2020, before the panel will have existed for four years.

The attorney general appoints five members who represent the interests of communities of color around the state. The appointing authority for each remaining seat is the official named by statute to hold the seat.

Members of the Panel who are not State employees or whose participation is not supported through their employment or association shall receive per diem compensation and reimbursement of expenses pursuant to 32 V.S.A. § 1010, to be provided by the Office of the

Attorney General. The commission members who qualify at this time are: Geoffrey Jones, Etan Nasreddin-Longo, Chief Don Stevens, and Shela Linton.

3. Provide an overview of the board or commission's purpose.

As provided by law, the panel shall review and provide recommendations to address systemic racial disparities in statewide systems of criminal and juvenile justice. The panel has a broad purview, and is initially focusing on producing a report on three areas: a statewide public complaint process to address racial bias, whether and how to prohibit racial profiling, and whether to expand law enforcement race data collection processes.

4. Is that purpose still needed? What harm would come if the board or commission no longer fulfilled that purpose?

The purpose is still needed. Disparate outcomes on the basis of race still pervade Vermont's justice system. Data both from police traffic stops and from our judicial system show the problem remains. There are higher rates of stops and searches of people of color during traffic stops, and a much higher proportion of people of color are incarcerated in our state. Failure to address this issue of fundamental fairness would continue a grave harm.

5. How well is the board or commission performing in executing that purpose? What evidence can you provide to substantiate that performance?

The panel is presently working cooperatively to produce a comprehensive report as outlined in question 3 above. Although the report is not done the panel hopes to produce it early next year.

6. If the purpose is still needed, can State government be more effective and efficient if the purpose was executed in a different manner?

Given the gravity of the problem State government should be focusing on this from multiple angles.

7. Do any of your board or commission's functions overlap or duplicate those of another state board or commission or federal or state agency?

The panel's function will be complemented by the new Executive Director of Racial Equity and the Racial Equity Advisory Panel. Because that position and panel have an extremely broad purview it remains important to have a panel focused on the criminal and juvenile justice systems, where fundamental rights are at stake. The panel intends to work cooperatively with the Racial Equity Panel and Executive Director.

8. Does the board or commission's enabling law continue to correctly reflect the purpose and activities of the board or commission?

Yes.

9. Provide a list of the board and commission's last fiscal year expenditures including staffing costs. How are these funded?

The sole costs are the per diem payments for qualifying panel members. The AGO is currently tabulating that total and will report it to this commission as soon as it obtains the number.

10. Is the board or commission required by law to prepare any reports or studies for the Legislature, the Governor or any state agency or officer? If so, have those reports or studies been produced? Does the board or commission have ongoing reporting obligations?

Yes, there is an ongoing biennial obligation to produce a report to the general assembly. No report has been produced. The plan is to produce the first report by early next year.