
State of Vermont
Department of Public Safety
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Waterbury, Vermont 05671-2101

To: Representative Maxine Grad
Chair, House Judiciary Committee

From: Thomas D. Anderson
Commissioner of Public Safety

Subject: H.492

Date: March 29, 2017

Please accept this supplemental memorandum in connection with the Department of Public Safety's (DPS) ongoing concerns regarding H.492. While I recognize H.492 has been amended several times, DPS still firmly believes that a more fulsome study of the issues and goals raised in the bill and how best to address them is needed. If the goal of the newly created Board is truly to address racial justice reform across the state to include not only law enforcement but also the entire criminal justice system, "education, health services access, employment and housing" – which touch all minority individuals in Vermont – then a more careful and inclusive study of the goals of such a Board, and how those goals are to be reached is not only prudent but good public policy. In my view, those discussions should include the courts, public defenders, prosecutors, and education, housing, employment and health access advocates/representatives.

Presently, this bill focuses exclusively on law enforcement. As I pointed out in my earlier memorandum, law enforcement in Vermont, including the Vermont State Police, has made significant strides over the past several years in the area of fair and impartial policing. These efforts will continue in an inclusive and transparent manner.

The bill also misses an opportunity to ensure that there are processes in place to ensure that all provisions of the VCJTC model fair and impartial policing policy and local policies across the State are compliant with federal immigration law, thus protecting local jurisdictions from the potential loss of federal grant funding.

For these reasons and those expressed in my March 23, 2017 memorandum, while the concept of a board or commission may be meritorious, DPS opposes H.492 as written to include the process by which this important issue has been presented to the legislature. DPS therefore strongly urges the House Judiciary Committee to commit to further studying the scope of the proposed Board, its overall goals and appropriate legislation that meets those goals.¹ This study should involve all relevant stakeholders to include those identified in the H.492, appropriate law enforcement representatives, and the advocates and others identified above.

I would ask that this memorandum be made part of the record and shared with the other members of the House Judiciary Committee.

¹ DPS has consulted with the VCJTC, Vermont Sheriffs' Association, Vermont Chiefs of Police Association, and the Vermont Police Association, and they concur with this recommendation.