

TO: Kitty Toll, Chair, House Appropriations Committee
FROM: Maxine Grad, Chair, House Judiciary Committee
RE: Recommendations on the FY 21 Budget
DATE: 9/2/20

The House Judiciary Committee has reviewed and discussed the budget areas that were brought to our attention by your Committee. In some cases, there were items raised with Judiciary and other policy committees, in those cases, we comment only on the ones that felt were in our policy jurisdiction.

Our Committee again prioritizes the importance of access to justice and child protection as two top priorities in general. We have the following recommendations:

➤ **Child Protection:**

- **Vermont Internet Crimes Against Children:**

We understand that there is increased activity related to child pornography on line in Vermont. Both the Attorney General's memo to House Appropriations ("Most notable is the need to adequately staff the Vermont Internet Crimes Against Children (VT-ICAC) Task Force in the AGO. The importance and necessity of additional resources for the VT-ICAC Task Force are spelled out in detail within the AGO's budget narrative. Moreover, the need has increased significantly in the last few years. The AGO has seen a significant increase in cyber tips coming into our ICAC program. From 2016 through April 2019 we went from 126 to 402 cyber tips per year. Currently, we are on track to exceed 2019's cyber tips."), and testimony we heard from the Task Force staff (earlier this summer when they testified in House Judiciary), was compelling. In line with our priority of assuring protection of children in Vermont, we support the request to increase funding this effort.

➤ **Access to Justice:**

- **Diversion Programs:**

We understand the increase in demand to participate and utilize court diversion programs, due to expanded eligibility, and a backlog in cases that were delayed due to COVID-19. Without additional resources, caseloads will be extremely high. We strongly believe that Diversion programs are both good policy and good from a longer term fiscal perspective. We recommend additional funding and support of these programs as recommended by the AG's office, to meet the increased demand.

- **Legal Aid Funding:**

We understand that there is a wait for many Vermonters to get an attorney through Legal Aid and support increasing their appropriation to meet this important demand for representation, a true factor in access to justice.

- **Fair and Impartial Policing:**

Our Committee fully supports the increased funding the Department of Public Safety is proposing to fund the Fair and Impartial Policing initiative and recommend adding the following language into the budget:

- **Fair and Impartial Policing Co-Director (Civilian Position Pool Request Pending)**

- There is a great need to add this additional position:

The co-directors of Fair & Impartial Policing and Community Affairs oversee the agency's comprehensive program to ensure fair and impartial policing practices at all levels of the state police. These efforts include building relationships of trust with communities of color and other historically marginalized communities, diversifying the workforce, and improving cultural humility and awareness. Among the objectives of the co-directors are administering initiatives related to recruitment and hiring; training; supervision and accountability of front-line supervisors; outreach to diverse communities; the collection of traffic-stop data; assessment of institutional practices; and reviews of state police policies.

- It is important that the position be filled by a BIPOC (black, Indigenous and people of color), individual and one whom is not a retired Law enforcement officer. This has been a recommendation made by several groups.

- **Support for the Office of Racial Equity.**

There is increased demand by the legislature and legislation to involve the participation of the Director of Racial Equity. We support the proposal to add two new positions to the Office of Racial Equity: a policy analyst and a research analyst, to 3 V.S.A. chapter 68 to support the work of the Executive Director of Racial Equity to mitigate systemic racism in all branches of State government.

- **Federal Grant Requirement State Attorney's Budget**

Finally, we understand that the State Attorneys will need to forfeit up to 5% of their funding from a federal grant, unless we initiate language and policy required by the federal government, as a condition of the grant. In discussing the issue in our committee, we believe that passing this requested legislation to satisfy this grant requirement would result in bad policy and consequences for some Vermonters. We do understand that this will mean a \$37,500 forfeiture of some of the funds and recommend that as the path to take.

Our thanks to the Appropriations Committee for your incredible efforts to get this budget reviewed and passed so quickly and still factoring in the policy committees' input.

We are continually grateful for the chance to be involved with the budget. Please be in touch if we can answer any other questions or elaborate on this memo.