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August 5, 2020

Vermont General Assembly
Joint Legislative Justice Oversight Committee
115 State Street
Montpelier, VT 05633-5301

RE: The Supreme Court Jury Restart Committee's Report on
the Resumption of Criminal Jury Trials

Dear Chairman Sears and Members of the Joint Leg. Justice Oversight Committee:

On July 20, 2020 the Vermont Supreme Court Jury Restart Committee issued its Report on Resumption of Criminal Jury Trials. In the section entitled **REVIEW OF COURTHOUSES AND COURTROOMS AND THEIR SUITABILITY FOR JURY TRIALS PENDING SPECIFIC EVALUATION IN UNIT PLANS**, the committee determined the following in terms of the Grand Isle County Courthouse in North Hero:

- Too small to conduct jury trials and maintain compliance with social distancing requirements; insufficient space for all necessary uses.

That's it. One dismissive sentence. Not surprisingly, they attributed the same dismissive sentence to the Essex County Courthouse. Curiously, the committee determined the following in terms of the Orange County Courthouse in Chelsea:

- Can accommodate jury trials if other court uses are scheduled around them or moved;
- Courtroom is large (jury box and grand jury box); other spaces in building are available;
- Jurors waiting to enter courthouse would have to wait in cars;
- Limited juror pool for out-of-county cases due to population;
- Holding cell at local sheriff's office; and
- Excellent cleaning occurring on ongoing basis throughout the day

Each and every bullet attributed to the Orange County Courthouse is applicable to the Grand Isle County Courthouse. As the elected State's Attorney for Grand Isle County, I was not consulted or asked to offer any input related to the Grand Isle County Courthouse. I submit that this is perhaps yet another attempt to limit (or shutter) the judicial services here in Grand Isle County.

Here is what the report should have stated:

- In Grand Isle, they could accommodate jury trials if other court uses are scheduled around them or moved;
- In Grand Isle, the Courtroom is large (jury box and grand jury box); other spaces in building are available;
- In Grand Isle, jurors waiting to enter courthouse would have to wait in cars;
- In Grand Isle, limited juror pool for out-of-county cases due to population;
- In Grand Isle, there is a holding cell at the courthouse; and
- In Grand Isle, there is excellent cleaning occurring on ongoing basis throughout the day.

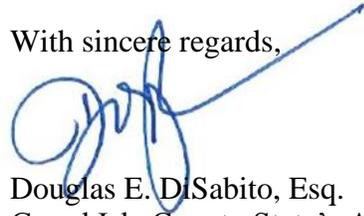
I have attached photos of both the Grand Isle County Courtroom (bottom photos) and the Orange County Courtroom (top photos). The similarities are striking, yet the report describes them very differently.



Essex County State's Attorney Vince Illuzzi is also concerned. In an article in this week's Islander Newspaper, he is quoted as saying the following: "I am concerned that if the judiciary is allowed to temporarily move jury trials out of Essex and Grand Isle Counties without obtaining a commitment to return those cases when COVID-19 is behind us, it will be too easy to make the move permanent." I share State's Attorney Illuzzi's concerns.

Thank you for your time. Should any of you have any questions, please do not hesitate in contacting me directly.

With sincere regards,



Douglas E. DiSabito, Esq.
Grand Isle County State's Attorney

DDS/cm

CC: Rep. Mitzi Johnston, Speaker of the House
Sen. Dick Mazza, Grand Isle County
Sen. Randy Brock, Alburgh & Franklin County
Sen. Corey Parent, Alburgh & Franklin County
Hon. Vincent Illuzzi, Esq., Essex County State's Attorney
Hon. Sherri Potvin, Asst. Judge, Grand Isle County
Hon. Joanne Batchelder, Asst. Judge, Grand Isle County
Hon. George Spear, Esq., Probate Judge, Grand Isle County
Hon. Brian Grearson, Chief Superior Judge
Sheriff Ray Allen, Grand Isle County
Michael Donoghue, The Islander Newspaper
John Campbell, Esq., Vermont Dept. of State's Attorneys & Sheriffs