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**Act No. 56 (H.435). Corrections; Department of Corrections; Vermont Criminal Justice Council**

**An act relating to miscellaneous Department of Corrections-related amendments**

This act makes statutory changes relating to the Department of Corrections.

Secs. 2–4 create the eight-member Department of Corrections Monitoring Commission to provide advice and counsel to the Commissioner of Corrections with regard to the Commissioner’s responsibilities in managing the Department, specifically with regard to the Commissioner’s responsibility to manage the reporting of sexual misconduct; promote adherence to anti-retaliation policies; ensure overall policy implementation and effectiveness; improve the transparency, accountability, and cultural impact of agency decisions; and ensure that the determination of investigatory findings and any resulting disciplinary actions are just and appropriate. The Commission is responsible for two annual reports to the Agency of Human Services and the General Assembly outlining its recommendations.

Sec. 5 creates the Corrections Investigative Unit to identify systemic issues within the Department of Corrections and to conduct investigations necessary to comply with federal law.

Sec. 6 expands the prohibition on sexual conduct between Department of Corrections workers and people supervised by the Department by removing the limitation that the offender be in a direct supervisory relationship with the worker in order for the sexual conduct to be prohibited. The prohibition specifically excludes any offender and Department worker that were married, parties to a civil union, or otherwise engaged in a consensual sexual relationship at the time of sentencing for the offense for which the offender is serving a supervised sentence.

Sec. 7 directs the Criminal Justice Council and the Department of Corrections to develop a proposal governing minimum training standards, complaint investigations, and a process for certification and decertification of correctional officers and report the proposal to the Joint Legislative Justice Oversight Committee during the 2021 legislative interim.

Effective Date: July 1, 2021