

1 H.470

2 Introduced by Representatives Dolan of Essex and Colburn of Burlington

3 Referred to Committee on

4 Date:

5 Subject: Domestic and sexual violence; community justice centers

6 Statement of purpose of bill as introduced: This bill proposes to permit referral
7 of cases involving domestic violence, sexual violence, or stalking to a
8 community justice center as of July 1, 2023, provided the center has adopted
9 victim safety standards and protocols that take into consideration victim needs
10 such as safety, confidentiality, and privacy.

11 An act relating to referral of domestic violence, sexual violence, and
12 stalking cases to community justice centers

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 24 V.S.A. § 1968 is added to read:

15 § 1968. CASES OF DOMESTIC VIOLENCE, SEXUAL VIOLENCE, AND

16 STALKING CASES; USE OF COMMUNITY JUSTICE CENTERS

17 (a) Cases involving domestic violence, sexual violence, or stalking may
18 only be referred to a community justice center if the community justice center
19 has implemented the victim safety standards and protocols that take into

1 consideration victim needs such as safety, confidentiality, and privacy
2 developed in accordance with subsection (b) of this section.

3 (b) On or before July 1, 2022, the following entities shall convene to
4 establish victim safety standards and protocols that community justice centers
5 shall adopt prior to accepting referrals for cases involving domestic violence,
6 sexual violence, or stalking:

7 (1) the Commissioner of Corrections or designee;

8 (2) two representatives of a Vermont Community Justice Center;

9 (3) the Director of the Vermont Network Against Domestic and Sexual
10 Violence or designee;

11 (4) the Director of the Vermont Center for Crime Victim Services or
12 designee;

13 (5) the Executive Director of the Vermont Association of State's
14 Attorneys or designee;

15 (6) the Defender General or designee; and

16 (7) the Director of the National Center on Restorative Justice at
17 Vermont Law School or designee.

18 (c) Victim safety standards and protocols shall include:

19 (1) voluntary engagement by both the offender and the victim;

20 (2) a defined approach based on evidence or an established, promising
21 program;

1 (3) annual training for relevant community justice center staff,
2 facilitators, and volunteers on the dynamics of involving domestic violence,
3 sexual violence, sexual assault, or stalking and restorative justice principles;

4 (4) a formalized memorandum of understanding between a local
5 community justice center and a local domestic and sexual violence advocacy
6 organization outlining collaboration between the two organizations;

7 (5) written confidentiality and privacy standards;

8 (6) data collection standards; and

9 (7) a trauma-informed approach.

10 (d) Community justice centers may accept referrals involving domestic
11 violence, sexual violence, or stalking after July 1, 2023 upon a determination
12 that the community justice center is in compliance with the standards and
13 protocols developed in accordance with subsection (b) of this section.

14 Sec. 2. REPEAL

15 24 V.S.A. § 1967 (cases prohibited for referral to community justice
16 centers) is repealed on July 1, 2023.

17 Sec. 3. EFFECTIVE DATES

18 (a) This section and Sec. 2 (repeal) shall take effect on passage.

19 (b) Sec. 1 (24 V.S.A. § 1968) shall take effect on July 1, 2022.