

House resolution disapproving Executive Order 01-21

Offered by: Committee on Government Operations

Whereas, on January 14, 2021, the Governor signed Executive Order 01-21 providing for the creation of “the Agency of Public Safety,” and

Whereas, according to the Executive Order, effective April 15, 2021, the Agency of Public Safety shall be created and shall assume all duties, responsibilities, and authority of the Department of Public Safety, the Vermont Criminal Justice Council, the Vermont Enhanced 911 Board, and the Department of Motor Vehicles Enforcement Division on or before July 1, 2022, and

Whereas, the Committee on Government Operations has taken testimony and public comment concerning this Executive Order, and

Whereas, the House of Representatives agrees with the Governor’s goals of “law enforcement modernization and reform and optimal government efficacy,” and

Whereas, the House of Representatives supports improving the organization of State law enforcement operations; modernizing the State’s data collection and reporting technology; expanding alternative crisis response methodologies; providing enhanced statewide model policies in key areas; modernizing hiring practices, training, and supervisor selection; and developing community oversight models, and

Whereas, the House of Representatives wishes to ensure that the Governor’s reorganization achieves these goals without leading to unintended consequences, and

Whereas, the House of Representatives is concerned that the Department of Public Safety does not have the capacity to ensure the success of the Governor’s reorganization plan given that Vermont is in the midst of a state of emergency related to the COVID-19 pandemic and recently reached the highest level of threat alert achieved since the 9/11 terrorist attacks in 2001, and

Whereas, the House of Representatives envisioned the Vermont Criminal Justice Council to be an independent entity with public oversight over law enforcement and is concerned that moving the Vermont Criminal Justice Council under the control of a State law enforcement agency could undermine the public’s confidence in the Council’s professional regulation of law enforcement and jeopardize the Council’s ability to execute its mission free from undue political influence, and

Whereas, given the complexity of reorganizing the Department of Public Safety and other law enforcement and emergency response services, the appropriate mechanism to pursue this reorganization is the legislative process with the resulting opportunity for enhanced research, analysis, and public participation, and

Whereas, as part of the legislative process, the House Committee on Government Operations looks forward to reviewing and taking testimony on the Administration’s complete proposal to create the Agency of Public Safety, now therefore be it

Resolved by the House of Representatives:

That this legislative body, pursuant to 3 V.S.A. § 2002, disapproves of Executive Order 01-21, and be it further

Resolved: That the House of Representatives invites the Administration to bring forward draft legislation for the reorganization of public safety services, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to Governor Philip B. Scott.