

02/23/2023

To the Judicial Retention Committee,

Judge Jiron seems like a nice person, professional, and well intentioned. His judgment on matters relating to the long term effectiveness of the courts and public safety lacks depth and understanding. The current process for the courts to receive and evaluate judicial conduct is lacking. Judge Jiron has regularly removed bail from recurring offenders who continue to fail to appear at court. These practices have led to offenders regularly not showing up for court. We had one subject with three warrants that we located and arrested, only for Judge Jiron to release him and waive the bail he had just set for the offender not showing up for court. Judge Jiron has gone so far as to conduct sentencing and acceptance of plea agreements where the person doesn't even come to court and the public defender signs for them.

Below is part of an email I forwarded to one of the court managers on 07/22/2022,

If Judge Jiron does not understand the impact of his decisions on my staff to hold people accountable, then perhaps he doesn't understand that we only have so much time in the day. Our department has multiple cases backed up, but we have been personally willing to drop that load to assist even outside of our county to assist the courts with it's functions. With the cite and release warrants and \$250 bail amounts, we do not go looking for people only to have them back on the street immediately. In the past, I worked to locate offenders who failed to appear. If he doesn't care that hearings and schedules get bumped because people don't show up, why should we spend our time serving the courts' warrants? We spent hours looking for the defendant because he ran, only to have him released again is a slap in the face to the family and law enforcement. To release him with no address and no bail is ridiculous. Please feel free to share my email with the judge. Our officers are risking their lives for offenders who run in cars and on foot, and then there is no accountability from the court. That message goes out to every criminal in the community. He is ruining the reputation of the court. I feel I need to write to the legislature with a complaint at this point. The reason there are so many jury draws is not simply that there is a COVID back up. Why wouldn't the defense attorneys take cases to trial if the judge is not going to hold people accountable with sentencing? The SA already is forced to limit prosecutions due to the lack of accountability expected from the judge. I honestly feel Judge Jiron puts my life and the lives of my officers and the community at large at greater risk with his decisions.

I later asked if this email was forwarded to the judge and I was told it was not. So I then asked Judge Jiron directly for a time to meet. See the email below,

Your Honor,

I was wondering if you were open to a meeting to hear some concerns I have. Some judges are open to discussion others are not. I would rather speak with you

directly if you are open to it. If not I understand. It is not about any individual case it is an overall explanation of how my department is reacting to your decisions.

I can be reached by cell at if I am not at the office.

Sheriff Colby

Judge Jiron later told me that it was not appropriate for me to have direct access to share information with him and that he could invite me to a Bench Bar meeting to share with the other Judges, States Attorneys and Prosecutors. I said that would be great. That has not happened.

So how does that process work? One meeting every several years where you have 5 minutes to present to a retention committee. The Judiciary should have an open process for feedback and comments. The committee could then review what comments come in from those suggestions. Issues like why would you put another state through the work of arresting defendants who fail to appear on Vermont charges, transporting them to jail, bringing them into court only to release them again when they return to Vermont. Judge Jiron has released them without bail after the state pays for extradition back to Vermont. Wouldn't that mean they are a flight risk if they didn't come to court and you had to have them arrested in another state? Wouldn't it make some sense to have those persons put some skin in the game for bail if they intentionally disrespect the court and the judicial process. It infuriates me to watch our courts have the expectations for jurors to take time off from work and come sit for the day at court, and meanwhile not hold anywhere near the same expectations for the defendants.

Often defense attorneys say this person doesn't have the money for bail. The next day family and friends have posted the money for bail. There are times where after a stay in jail, if the defendant can't meet those expectations, bail reconsideration is appropriate for some. For most of the others, the \$250 bail should be added for every case where they reoffend violating conditions of release or not showing up for court. Judge Jiron does not apply appropriate measures. In some cases, there are so many conditions of release violations that the Judge is not able to track what conditions are present. When judges issue cite and release warrants or \$250 bail warrants for recurring offenders, it shows the lack of interest the court has in managing its affairs. Why should towns be paying for officers' time to arrest, process, and transport offenders who could care less about going to court? When offenders know there is no real consequence, it is not a big deal to get arrested and go to court. Getting arrested and going to court used to be a big deal. Not so much any more.

To make a better system and deliver a better product, we should regularly evaluate feedback. The judiciary operates as a closed loop. Until there is a better process, I could not recommend Judge Jiron for retention, because right now it does not feel like there is accountability in our court.

Respectfully,

Sheriff Trevor Colby