

Joint Legislative Justice Oversight Committee

Committee Work for 2024 Interim

July 2, 2024

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Justice Oversight
Committee
Charge
Established by
2015 Act No. 58,
§ E.335.1

2 V.S.A. chapter 23

- Committee Powers and Duties
 - Oversee the Vermont Department of Corrections, including:
 - Evaluating DOC strategic, operating, and capital plans;
 - Overseeing DOC policy development; and
 - Encouraging communication between DOC, the administrative branch, and the criminal justice system
 - Assist with Vermont's juvenile and criminal justice systems, including:
 - Evaluating the statewide system of pretrial services, court diversion programs, community justice center services, and other relevant programs and services to identify any variations throughout the State
 - Assessing the consistency and cost efficiency of the systems;
 - Ensuring that statutes reflect restorative justice principles; and
 - Reviewing timeliness of judicial proceedings

Committee Work and Reports due during 2024 Interim

- **Committee Work during 2024 Interim**
 - Act 138 (S.195) – Pretrial Supervision Program review and recommendations
 - Act 159 (H.876) – Earned Time expansion review and recommendations
- **Reports/Updates Due to Committee during 2024 Interim**
 - Act 40 (S.14) – Criminal justice-related investments and expenditures report (every three years)
 - Act 40 (S.14) – Coordinated Justice Reform Advisory Council report (annual)
 - Act 125 (S.58) – Bi-monthly reports on implementation of Raise the Age
 - Act 180 (H.645) – Pre-charge diversion record retention report

Summer Committee Work

2024 Interim: Committee Reviews to be Completed

Act 138 (S.195)

Pretrial Supervision Program Review

Sec. 10. JOINT LEGISLATIVE JUSTICE OVERSIGHT COMMITTEE; PRETRIAL SUPERVISION PROGRAM; RECOMMENDATIONS; REPORT

- The Joint Legislative Justice Oversight Committee shall review the Pretrial Supervision Program established pursuant to 13 V.S.A. § 7555
- The Committee shall review and provide recommendations to the Department of Corrections for the most prudent use of any funds appropriated to operate the Program. The review shall also include recommendations concerning the geographic areas that the Department may first implement the Program and future funding mechanisms for the Program
- Recommendations submitted to the Department by September 1, 2024 and submitted to the General Assembly by November 15, 2024

Act 159 (H.876)

Earned Time Expansion Review

Sec. 3. JOINT LEGISLATIVE JUSTICE OVERSIGHT COMMITTEE; EARNED TIME EXPANSION; PAROLEES; EDUCATIONAL CREDITS; REVIEW

- Review whether Department of Corrections' current earned time program should be expanded to include parolees, as well as permitting earned time for educational credits for both offenders and parolees
- Review shall also include an examination of the current operation and effectiveness of DOC's victim notification system and whether it has the capabilities to handle such an expansion
 - Committee shall solicit testimony from DOC, the Center for Crime Victim Services; victims and survivors of crimes, including those who serve on the Center's advisory council; and the Department of State's Attorneys and Sheriffs
- **On or before November 15, 2024**, the Committee shall submit any recommendations from the study to the Senate Committee on Judiciary and the House Committee on Corrections and Institutions

Reports Due to Committee

Legislative Mandates for Reports and
Updates Due to the Committee

Act 40 (S.14)

An act relating to a report on criminal justice-related investments and trends

- Report on criminal justice-related investments and trends due **November 15, 2024**
 - First report since legislation passed
 - Includes data showing trends in Vermont's criminal justice system
 - Also attempts to assess effectiveness of JRII investments
- Coordinated Justice Reform Advisory Council report due **November 15, 2024**
 - The purpose of the Council is to establish a unified and collaborative State approach to support State and local community-based programs and services consistent with the State's restorative justice policy
 - The Report includes:
 - Considerations and recommendations to establish a sustainable planning and funding structure to administer State and local community-based programs and services and modern data collection systems
 - Submit the recommendations made to the Commissioner of Corrections for the appropriate allocation of not more than \$900,000.00 from the Justice Reinvestment II line item of the DOC budget for the upcoming fiscal year to support community-based programs and services, related data collection and analysis capacity, and other initiatives consistent with the purpose of the Council
 - Note: this recommendation is due to the Commissioner on or before September 1, 2023

Act 125 (S.58)
Bimonthly
reports on
Raise the Age

Sec. 12. BIMONTHLY PROGRESS REPORTS TO THE JOINT
LEGISLATIVE JUSTICE OVERSIGHT COMMITTEE

- On or before the last day of every other month from July 2024 through March 2025, the Agency of Human Services shall report to the Joint Legislative Justice Oversight Committee, the Senate and House Committees on Judiciary, the House Committee on Corrections and Institutions, the House Committee on Human Services, and the Senate Committee on Health and Welfare on its progress toward implementing the requirement of Secs. 7–11 of this act that the Raise the Age initiative take effect on April 1, 2025.

Act 180 (H.645)

Precharge Diversion Record Retention Report

Sec. 9a. VERMONT SENTENCING COMMISSION; PRE-CHARGE DIVERSION RECORD RETENTION; REPORT

- On or before November 15, 2024, the Vermont Sentencing Commission shall submit a written report reviewing current precharge diversion record retention practices within law enforcement agencies and State's Attorneys' offices. The report shall provide recommendations of the following:
 - whether pre-charge diversion records are retained, sealed, made available on a limited basis to law enforcement or prosecutors, or deleted altogether
 - if it is recommended that records be retained, a determination of any time limits or other restrictions related to retention
 - if it is recommended that records be sealed, a determination of the circumstances that permit sealing, if any
 - if it is recommended that records be made available on a limited basis, a determination of the circumstances under which records be made available
 - if it is recommended that records be deleted, a determination of any time to elapse or other considerations prior to deletion

Committee Considerations for 2024 Interim and Beyond

- **Conduct a study of criminal record sealing?**
 - This was a priority of Senator Sears
- **Reports/Updates Due to Committee during 2025 Interim**
 - Act 180 (H.645) – Post-Adjudication Reparative Program Working Group
 - Update due July 15, 2025
 - Report due November 15, 2025
- **Other priorities to review?**

Committee Schedule for 2024 Interim

- **July 31:**
 - Raise the Age Implementation Progress report due to Committee
- **September 15:**
 - Pretrial Supervision Program recommendations due to Department of Corrections
- **September 30:**
 - Raise the Age Implementation Progress report due to Committee
- **November 15:**
 - Pretrial Supervision Program recommendations due to General Assembly
 - Earned Time Expansion recommendations due to Senate Committee on Judiciary and House Committee on Corrections and Institutions
 - Criminal Justice-related Investments and Trends report due to Committee
 - Coordinated Justice Reform Advisory Council report due to Committee
 - Precharge Diversion Record Retention report due to Committee
- **November 30:**
 - Raise the Age Implementation Progress report due to Committee