

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 14
3 entitled “An act relating to Justice Reinvestment II reporting requirements”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 28 V.S.A. § 125 is amended to read:

8 § 125. JUSTICE REINVESTMENT II INITIATIVES; REPORT

9 (a) Report. On or before January 15 each year, the ~~Commissioner of~~
10 ~~Corrections~~ Secretary of the Agency of Human Services, in consultation with
11 the Commissioners of Corrections, Health, of Mental Health, Public Safety,
12 and for Children and Families; ~~and the Attorney General; the Chief Judge of~~
13 the Superior Court; the Executive Director of the Office of Racial Equity; and
14 the Parole Board Director, shall submit a report to the House Committees on
15 Appropriations and on Corrections and Institutions ~~and~~, the Senate Committees
16 on Appropriations and on Judiciary, and the Division of Racial Justice
17 Statistics detailing the expenditures on Justice Reinvestment II and the
18 following related initiatives:

19 (1) funding for domestic violence intervention programming in the
20 Department of Corrections;

1 (2) funding for offender transitional housing capacity with the
2 Department of Corrections and other departments;

3 (3) funding for the Department of Correction’s data collection Offender
4 Management System;

5 (4) funding for community-based mental health and substance use
6 services for individuals under Department of Corrections supervision;

7 (5) funding provided for diversion and restorative justice programs
8 including community justice centers, court diversion, and balanced and
9 restorative justice (BARJ); and

10 (6) funding and a description of any other General Fund expenditures
11 for Justice Reinvestment II initiatives.

12 (b) The provisions of 2 V.S.A. § 20(d) (expiration of required reports) shall
13 not apply to the report to be made under this section.

14 (c) Data assessment. The report required pursuant to subsection (a) of this
15 section shall include an assessment of the impacts that Justice Reinvestment II
16 expenditures and its related initiatives have had on crime and violence in the
17 State since the last report submitted pursuant to this section. The assessment
18 shall include whether Justice Reinvestment II expenditures correlate to an
19 increase or decrease of crime and violence and underlying explanations. The
20 report shall include data related to:

21 (1) recidivism rates

1 (2) desistence rates;

2 (3) bail rates, including detainees held without bail, detainees held with
3 bail and the associated monetary amounts, and bailees who post bail and are
4 released;

5 (3) violations of conditions of release, probation, parole, and furlough,
6 and whether violations are technical, civil, or criminal in nature;

7 (4) new committed former and current supervisees of the Department of
8 Corrections and whether the offenses are civil or criminal in nature; and

9 (5) the status of individuals released from incarceration, including
10 housing and job placement.

11 (d) Data elements. The dataset required pursuant to subsection (b) of this
12 section shall include data elements showing racial, gender, age, and income
13 disparities, if available.

14 (e) Data sharing. Notwithstanding any provision of law to the contrary, all
15 State and local agencies and departments that possess the data necessary to
16 compile the report required pursuant to this section shall, upon request, provide
17 the Secretary of Agency of Human Services with any data the Secretary
18 determines is relevant to the report. This obligation to disclose shall supersede
19 any other legal obligation with respect to the data required pursuant to this
20 section, and a department, agency, or other entity shall not decline to disclose
21 data required based on any other purported legal obligation.

1 (f) Confidentiality. Any data or records transmitted to or obtained by the
2 Secretary of the Agency of Human Services are exempt from public inspection
3 and copying under the Public Records Act and shall be confidential to the
4 extent required by law unless and until the data or records are included in the
5 report required by this section. A State or local agency or department that
6 transmits data or records to the Secretary shall be the sole records custodian for
7 purposes of responding to requests for the data or records. The Secretary may
8 direct any request for these data or records to the transmitting agency or
9 department for response, provided that the Secretary shall respond to a Public
10 Records Act request for nonidentifying data used by the Secretary for
11 preparation of the report required by this section.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2023.

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20 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE