2026 Annual Report and Recommendations on Addressing Racial Disparities in Vermont's Justice System

January 2026

Representatives

- Grace Ahmed (Co-Chair), Vermont Racial Justice Alliance
- Phiona Atuhaire, Association of Africans Living in Vermont
- Marita Canedo, Migrant Justice
- Andrew Liang, Governor Appointee
- Mia Schultz, Rutland Area NAACP
- Breanna Sheehan (Co-Chair), Vermont Commission on Native American Affairs

Purpose & Statutory Mandate

Act 142 of 2022 established the Racial Justice Statistics Advisory Council (RJSAC) to advise the Division of Racial Justice Statistics (DRJS), report on the Division's work to the Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel (RDAP), and provide the Legislature with annual findings and recommendations related to systemic racial bias and disparities in Vermont's criminal and juvenile justice systems.

Key Findings

Persistent Racial Disparities

As highlighted in the [DRJS' 2025 Annual Report](#) and the [RJSAC's 2025 Annual Report](#), the Division has identified systemic racial bias and disparities in three critical areas of Vermont's justice systems to date:

- **Traffic Stops:** Black males are ticketed at higher rates than White males, with Black and Hispanic individuals facing elevated arrest rates, especially in discretionary contexts involving contraband.
- **Corrections:** Black individuals are more likely than White individuals to receive longer sentences and higher bond amounts, with Native Hawaiian and Pacific Islander individuals experiencing the longest sentences on average.

- **School Discipline**: Black students are disproportionately subject to exclusionary disciplinary actions.

Data Gaps

- Vermont still lacks systematic access to many of the priority data points identified by RDAP (Act 148, Appendix I), limiting the State's ability to fully assess where and how disparities emerge.
- Data gaps are a product of fragmented systems, inconsistent definitions, and weak governance and accountability mechanisms.

Key Recommendations

- Adopt RDAP Act 148, Appendix I priority data points as Vermont's minimum justice data standard.
- Standardize race/ethnicity collection statewide using a single, best-practice question recommended by OMB in 2024 and record whether race/ethnicity is self-identified or perceived.
- Enact and strengthen H.382 to improve transparency and public reporting of justice system data.
- Establish transparency around federal transfers of military equipment and training to law enforcement.
- Establish transparency around transfers of State data to Federal law enforcement agencies.
- Invest in the Division of Racial Justice Statistics and in statewide data governance infrastructure.

Progress Report

RJSAC Activities in 2025

During 2025, the Racial Justice Statistics Advisory Council carried out its statutory responsibilities pursuant to Act 142 of 2022. The Council reviewed analyses produced by the Division of Racial Justice Statistics (DRJS) on racial disparities in traffic stops, corrections, and school discipline, and provided advisory input on data quality, analytical approach, and priorities for future analysis for the 2026 Annual Report. At the request of the Office of Racial Equity, a Council member reviewed applications for the Division's Data Manager position and provided recommendations to the Director regarding candidates. The Council endorsed H.382 (An Act Relating to Data Collection in the Criminal Justice System) and communicated that endorsement to the Racial Disparities Advisory Panel. It also coordinated with DRJS on statewide data governance initiatives, including functional analysis of justice technology assets and development of a statewide governance approach.

Findings

Data Infrastructure & Governance

Over the past year, consistent with its statutory mandate, the Division of Racial Justice Statistics (DRJS)—informed by the RDAP and the RJSAC and in collaboration with the Vermont State Archives and Records Administration (VSARA) and agency stakeholders—has conducted a functional analysis of Vermont's justice data systems. This work examines justice data not only at the level of individual technology systems, but across the people, processes, policies, and legal authorities that shape how data are collected, shared, and used statewide. To date, the analysis indicates that Vermont's ability to identify and address racial disparities in the criminal legal system is constrained not only by gaps in available data, but by inconsistent information standards and limited data governance capacity across agencies. Based on ongoing coordination with the Division, the Council notes the following findings:

- **Fragmented and Siloed Data Systems Statewide:** Government data systems and governance structures operate in silos and lack interoperability across agencies. As a result, Vermont has large volumes of data but limited capacity to use those data to understand trends across agencies and time. This fragmentation limits coordination, accountability, and system-wide analysis of disparities.

- **Inadequate Data Policy and Processes:** Technology spending is allocated without necessary attention to policy, training and operational processes to make use of the information or functionality the technology may enable. Without sufficient governance and workforce capability, technology fails to achieve equity, efficacy, or efficiency goals.

- **Inconsistent Definitions and Lack of Semantic Standards:** Core data elements and terminology, such as race, ethnicity, traffic stop, and charges, are defined differently, if at all, across agencies. This absence of semantic consistency complicates data sharing, oversight, and data quality and can lead to inaccurate conclusions when data are combined.

- **Legacy Systems Create Operational and Equity Risks:** Some agencies rely on legacy systems that are outdated and functionally inadequate for current operational, reporting, and governance needs. These limitations reduce service quality, increase legal exposure, and constrain oversight of outcomes and disparities.

Recommendations

- **Adopt RDAP Act 148, Appendix I Priority Data Points as Vermont's Minimum Justice Data Standard:** The Council recommends that Vermont formally adopt the priority data points identified in RDAP's Act 148, Appendix I as the State's minimum

justice data standard. Establishing this baseline would create a shared accountability framework for data collection at key decision points across the justice system. Agencies should be required to identify which Appendix I data points they collect, which they do not, and why gaps persist. This approach would increase transparency, clarify responsibility, and enable targeted legislative and administrative action to address data gaps that impede the State's ability to identify and address racial disparities.

- **Standardize Race & Ethnicity Collection Statewide:** The Council recommends that the State adopt a single, combined race and ethnicity question aligned with updated federal standards set forth in the Office of Management and Budget's revisions to Statistical Policy Directive No. 15[1], and require its consistent implementation across all justice agencies. Agencies should collect self-identified race and ethnicity at all decision points. At high-discretion decision points, agencies should also collect perceived race and ethnicity. All race and ethnicity data should be clearly labeled as self-identified or perceived.

- **Strengthen and Enact H.382** *An Act Relating to Data Collection in the Criminal Justice System***:**

  The Council recommends enactment of H.382 as a foundational transparency statute for Vermont's criminal justice system data, and further recommends that the bill be strengthened to better align with Vermont's established data priorities and governance needs.

  As introduced, H.382 would require the Judiciary, the Vermont Crime Information Center, the Department of State's Attorneys and Sheriffs, and the Department of Corrections to collect and publicly report specified criminal justice data. The Council supports this approach and recommends that H.382 be improved to align reporting requirements with the priority data points identified by RDAP in Act 148, Appendix I, ensuring that public reporting focuses on high-discretion decision points most relevant to identifying racial disparities.

  In addition, the Council recommends that implementation of H.382 incorporate clear, shared data standards, including development and maintenance of a statewide analytic data dictionary. Consistent definitions and documentation are necessary to ensure that data reported under H.382 are comparable across agencies, usable for analysis, and reliable over time.

---

[1] "Revisions to OMB's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity." *Federal Register*, vol. 89, no. 62, 29 Mar. 2024, pp. 22,724–22,762. Office of Management and Budget, https://www.federalregister.gov/documents/2024/03/29/2024-06469

The Council emphasizes that transparency must be paired with governance. Public reporting requirements should be supported by clear authority, documentation, and oversight structures that promote data quality and usability. When implemented alongside standardized data practices and governance capacity, H.382 can provide a durable framework for accountability and for identifying and addressing racial disparities in Vermont's criminal legal system.

- **Establish Transparency around Federal Transfers of Military Equipment and Training to Law Enforcement**

  In addition to maintaining a focus on the priority data points identified by RDAP (Act 148, Appendix I), recent changes in federal law enforcement policy increase the importance of state-level clarity and oversight regarding military equipment transfers and federally sponsored law enforcement training. In 2025, the federal government issued [Executive Order 14288, *Strengthening and Unleashing America's Law Enforcement to Pursue Criminals and Protect Innocent Citizens*](#), which expands federal support for state and local law enforcement agencies, including access to equipment, training, and intergovernmental partnerships.

  Research over the past two decades has consistently shown that militarization of local law enforcement agencies is associated with higher levels of force, broader discretionary enforcement, and disproportionate impacts on communities of color.[2] Despite this, Vermont does not currently collect or publish information in a consistent manner about when military equipment or federally sponsored law enforcement training enters local agencies, or how those resources are authorized and used. As a result, the State lacks visibility into a set of discretionary practices that research suggests warrant close attention for potential racial disparities.

  To close this gap, the Council recommends establishing basic reporting and public transparency requirements related to both military equipment transfers and law enforcement training provided through federal programs. This should include reporting on transfers of military or military-grade equipment to state and municipal law enforcement agencies, as well as training received through federal programs, including training connected to equipment transfers or federal partnerships. Public reporting should, at a minimum, describe when equipment transfers or training are approved, the

---

[2] See Jonathan Mummolo, "Militarization Fails to Enhance Police Safety or Reduce Crime but May Harm Police Reputation," *Proceedings of the National Academy of Sciences* 115, no. 37 (2018); Casey Delehanty et al., "Militarization and Police Violence: The Case of the 1033 Program," *Research & Politics* 4, no. 2 (2017); Jonathan Mummolo, *Modern Police Tactics, Police–Citizen Interactions, and the Prospects for Reform*, Journal of Politics 80, no. 1 (2018): 1–15; Peter B. Kraska, "Militarization and Policing—Its Relevance to 21st Century Police," *Policing* 1, no. 4 (2007); and Peter B. Kraska and Victor E. Kappeler, "Militarizing American Police: The Rise and Normalization of Paramilitary Units," *Social Problems* 44, no. 1 (1997).

legal or administrative authority under which they occur, what equipment or training is provided, which agency receives it, the intended purpose and scope of use, and how long any authorization, deployment, or training program remains in effect.

Taken together, these reporting elements reflect RDAP's emphasis on documenting discretionary practices and fit within Vermont's broader work to improve data governance and public reporting in the criminal and juvenile justice systems.

- **Establish Transparency around Transfers of State Data to Federal Law Enforcement Agencies:** The Council recommends that Vermont establish clear public reporting requirements regarding when, how, and under what legal authority State-collected data are shared with federal law enforcement agencies. This includes data originating from justice, public safety, and administrative systems that may be accessed or transferred for immigration enforcement or other federal purposes. Agencies should be required to document the categories of data shared, the requesting entity, the legal or judicial basis for disclosure, and any applicable limitations on use, retention, or onward sharing. Transparent reporting of these transfers is necessary to support legislative oversight, enable evaluation of discretionary data-sharing practices, and ensure that State data practices can be evaluated for their potential contribution to racial and ethnic disparities, consistent with the Council's statutory mandate.

- **Invest in Vermont's Data Infrastructure & Governance:** Given Vermont's inconsistent statewide data infrastructure and governance practices and policies, the recommended path forward is not a single solution, but rather an intentional and coordinated investment in data governance practices, policies, and technology that enables a more cohesive, effective, efficient, and equitable system over time. To begin building out this system, the Council suggests the following recommendations:

  - **Adopt Federated Data Governance Model:** Consistent with industry standards set forth in the DAMA® Data Management Body of Knowledge (DAMA-DMBOK®), the Council defines "data governance" as the exercise of authority and control over the management of data assets[3]. The Council recommends the adoption of a federated model in which agencies retain operational control over their systems while adhering to mandatory statewide standards for racial justice data, ensuring maximum data utility while maintaining operational efficiency.

  - **Empower a Neutral, Independent Data Governance Authority:** Current statute appropriately requires the DRJS to work with the Agency of Digital Services (ADS) to establish data and metadata access. However, this structure

---

[3] DAMA International, DAMA-DMBOK: Data Management Body of Knowledge, 2nd ed. (Basking Ridge, NJ: Technics Publications, 2017), ISBN 9781634622349.

alone does not provide the independent authority or accountability necessary for statewide data governance. The Council recommends that the Legislature elevate the role of VSARA as the neutral steward of racial justice data governance and mandate that the governance framework developed by VSARA serve as the required standard for all justice-related records.

○ ***Support the Development of a Statewide Data Governance Advisory Group:*** In pursuit of meeting their statutory mandate, the DRJS is beginning to bring together multi-disciplinary state experts to understand and address issues in the State's justice technology assets. Eventually, this group could be engaged to establish standards for information and data governance to improve data collection, reporting, quality, and business processes across the enterprise. The Council recommends the legislature support this work by providing sustained funding for staff time, training, and administration when deemed appropriate as described in RDAP's 2021 Report.

○ **Require the Assessment of Justice Technology Investments:** Vermont invests millions of dollars in justice-related technology systems that lack the ability to accurately track racial categories. The Council recommends amending the procurement process under 3 V.S.A. § 3301 to require a "Data Governance Impact Assessment" for any justice-related technology acquisition to ensure compliance with the Office of Racial Equity's data standards.

○ **Invest in the Data Governance Capacity and Processes of State Agencies:**

■ **Fund Information Governance Roles in State Agencies:** The Council recommends that the Legislature fund dedicated agency-level information governance roles with clear authority across leadership, legal, IT, and program functions. This is consistent with the RDAP's recommendations in their 2020 report.

■ **Expand and Uplift Successful Governance Models in the State:** Based on the Justice Technology Asset Inventory being developed by the DRJS, the Council recommends expanding and uplifting effective governance models identified through this work, including the Valcour Governance Board within the Vermont Department of Public Safety (DPS), as replicable examples for other State agencies.

○ **Invest in Legacy System Updates:** Based on the Justice Technology Asset Inventory being pursued by the DRJS, the Council recommends that the Legislature prioritize the modernization of legacy justice data systems across

state agencies, such as DCF's SSMIS which has been in use since the 1980s[4], to address acute service quality deterioration and legal liability.

- ○ **Clarify Statewide Data Dictionary:** The Council recommends that the Legislature clarify the statutory meaning of a "data dictionary." RJSAC recommends that the DRJS adopt and maintain an analytic data dictionary that defines justice-system data points used in racial disparity analysis, including their meaning, decision point, source system(s), responsible agency, known limitations, and conditions of access. This data dictionary should be designed to support cross-system analysis and public reporting and is not intended to replace or replicate system-level technical documentation maintained by data-owning agencies or vendors.

- **Increase Support for the Division of Racial Justice Statistics**: As noted in RDAP's 2021 report, the DRJS was meant to operate within a broader system of partners and statewide data leadership, but these structures are not yet in place. Consequently, Division staff face expanded workloads that limit their ability to fulfill their statutory mandate. Consistent with the Council's 2024 report, the Council recommends increased staffing or sustained external support until governance and partnership structures are fully operational.

Conclusion

This report summarizes the Council's ongoing work to identify and address systemic racial disparities in Vermont's criminal and juvenile justice systems. The findings reaffirm persistent disparities in traffic enforcement, corrections, and school discipline, while also highlighting structural barriers, such as fragmented data systems, inconsistent standards, and limited governance, that hinder the State's ability to fully understand and address these disparities.

The Council's recommendations focus on improving transparency, consistency, and accountability across the justice system. These include adopting RDAP's Act 148, Appendix I priority data points as a minimum data standard; standardizing race and ethnicity data collection; enacting and strengthening H.382; increasing transparency around discretionary practices; and establishing clear, statewide data governance policies and investment. Implementing these recommendations will require sustained support, including funding for data governance, modernization of legacy systems, and expanded capacity for the Division of Racial Justice Statistics, to ensure meaningful, long-term progress toward a more equitable and accountable justice system.

---

[4] Lola Duffort, "Vermont's Foster Care IT System Predates the Internet — and Puts Kids at Risk," VTDigger, December 1, 2023,
https://vtdigger.org/2023/12/01/vermonts-foster-care-it-system-predates-the-internet-and-puts-kids-at-risk/

Statutes

Vt. Act No. 142 of 2022. *An Act Relating to the Creation of the Racial Justice Statistics Advisory Council and the Division of Racial Justice Statistics*. 2022 Vt. Acts & Resolves.

Vt. Act No. 148 of 2020. *An Act Relating to Racial Disparities in the Criminal and Juvenile Justice Systems*. 2020 Vt. Acts & Resolves.

3 V.S.A. § 3301. Procurement; authority and duties.

References

DAMA International**.** *DAMA-DMBOK: Data Management Body of Knowledge*. 2nd ed., Technics Publications, 2017. ISBN 978-1-63462-234-9.

Delehanty, Casey, et al. "Militarization and Police Violence: The Case of the 1033 Program." *Research & Politics*, vol. 4, no. 2, 2017.

Kraska, Peter B. "Militarization and Policing—Its Relevance to 21st Century Police." *Policing*, vol. 1, no. 4, 2007.

Kraska, Peter B., and Victor E. Kappeler. "Militarizing American Police: The Rise and Normalization of Paramilitary Units." *Social Problems*, vol. 44, no. 1, 1997.

Lola Duffort, "Vermont's Foster Care IT System Predates the Internet — and Puts Kids at Risk," *VTDigger*, December 1, 2023, https://vtdigger.org/2023/12/01/vermonts-foster-care-it-system-predates-the-internet-and-puts-kids-at-risk/

Mummolo, Jonathan. "Militarization Fails to Enhance Police Safety or Reduce Crime but May Harm Police Reputation." *Proceedings of the National Academy of Sciences*, vol. 115, no. 37, 2018.

Mummolo, Jonathan. "Modern Police Tactics, Police–Citizen Interactions, and the Prospects for Reform." *The Journal of Politics*, vol. 80, no. 1, 2018, pp. 1–15, https://doi.org/10.1086/694393.

Office of Management and Budget. "Revisions to OMB's Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity." *Federal Register*, vol. 89, no. 62, 29 Mar. 2024, pp. 22,724–22,762, https://www.federalregister.gov/documents/2024/03/29/2024-06469.

Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel. *Report to the Vermont Legislature on Data Collection, Information Sharing, and Governance*. State of Vermont, 2021, https://legislature.vermont.gov/assets/Legislative-Reports/ACT-65-RDAP-REPORT-FINAL.pdf?_gl=1*1mboeoc*_ga*MTI2Nzc1NTU5Ny4xNzYzNTA3OTY3*_ga_V9WQH77KLW*czE3Njg1MDA0OTckbzE4JGcwJHQxNzY4NTAwNTIwJGozNyRsMCRoMA..

Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel. *Report to the Vermont Legislature on Racial Disparities in the Criminal and Juvenile Justice Systems (Act 148)*. State of Vermont, 2020, https://ago.vermont.gov/sites/ago/files/wp-content/uploads/2022/02/2020-12-01_RDAP_Report_re_Section19_Act148.pdf.

Racial Justice Statistics Advisory Council. *2025 Annual Report to the Legislature*. State of Vermont, 2025, https://legislature.vermont.gov/assets/Legislative-Reports/2025-RJSAC-Report-to-Legislature.pdf.

Vermont Division of Racial Justice Statistics. *2025 Annual Report to the Legislature*. Office of Racial Equity, State of Vermont, 2025, https://legislature.vermont.gov/assets/Legislative-Reports/2025-DRJS-Report-to-Legislature.pdf.

Appendix A.

RDAP Priority Datapoints

Source: Racial Disparities in the Criminal and Juvenile Justice Systems Advisory Panel, 2020.

- Juvenile System
  - Encounters with law enforcement, DCF, schools and school resource officers
    - Data on where these encounters occur and which entities the encounters occur with
    - Whether initial encounters resulted in release, citations or custodial arrests
    - Data on the basis for arrest and level and length of detention pre-initial court appearance
    - Reports from mandated reporters
    - Data needs to be broken out by school
  - Pre- and post-charge diversion and community justice programs
    - Referrals by the prosecutor, DCF, law enforcement, school resource officers, and school
    - Acceptance/Rejection of applications by the program
    - Date the juvenile began the program, length of stay, completion of the program
    - Risk assessment tools used, including when and where they are done, what type, and outcomes
  - Charging/Delinquency petition
    - Initial and amended charges filed
    - Challenges to the charges and pre-merits disposition by the court
  - Counsel
    - Access to and assignment of defense counsel throughout all stages of case, including initial encounters to post-sentencing and expungement
    - Docket size and years of experience as a defense attorney and prosecutor
    - Other factors relevant to case outcomes and legal representation.
  - Pretrial detention, release, and discharge from custody
    - Custody status, conditions, level, place and duration of detention, number of admissions, custody reviews, changes to status, discharge from custody, number of placement changes
    - Risk assessments, including when and where they are done, what type, and outcomes
  - Plea agreements

- - - Total plea agreements, agreements involving probation, level and place of detention, or other agreements
    - Details relating to offers made by the prosecution, including timing, number, and last best offer
  - Disposition
    - Time to disposition
    - Data on disposition, including sentencing minimum and maximum terms, location and level of secure detention, fees and fines, restitution, probation term and conditions, other disposition alternatives
  - Demographics of juvenile, attorneys, judge, GAL, DCF officers, law enforcement, complainants involved in the case, and juvenile's parents.
    - Demographic information should include, but not be limited to: data on race, sex, gender, socioeconomic status, ethnicity, age, and language use, schools (teachers/students/ counselors/SROs), how many of the juveniles were/are in the child welfare system.
  - Sanctions and/or disciplinary actions
    - This should include sanctions against law enforcement, prosecutors, defense attorneys, judges, DOC officers, and DCF officers, with the ability to cross-reference with conviction, law enforcement, and prosecutor integrity review.
- Adult Criminal System:
  - Pre-charge
    - Initial encounters resulting in release, citations or custodial arrests
    - Custodial arrests resulting in after-hours conditions or bail; length of pre-arraignment detention
    - Referral, acceptance and completion rates of diversion/treatment program
    - Numbers of cases eligible for referral (establishing authority of the Court to divert cases)
    - Risk assessments, including when and where they are done, what type, and outcomes
  - Charging
    - Initial and amended charges filed; challenges to charges and pre-trial dispositions relating to charges
    - Circumstances around the charges
  - Counsel
    - Access to and assignment of defense counsel throughout all stages of the case, including initial encounters to post-sentencing and expungement

- Docket size and years of experience as a defense attorney and prosecutor
- Other factors relevant to case outcomes
○ Post-charge diversion/treatment programs
- Referral, acceptance and completion rates of diversion/treatment program
- Date the defendant begins the program
- Risk assessments, including when and where they are done, what type, and outcomes
○ Pretrial detention/release
- Pretrial detention status of defendants, including conditions of release, bail amounts and HWOB
- Bail reviews and changes to pre-trial detention or conditions of release
- Revocation of bail or conditions of release
○ Plea agreements
- Total plea agreements
- Agreements involving probation, imprisonment, or other agreements
- Details relating to offers made by the prosecution, including timing, number, and last best offer
- Time to plea agreement
○ Demographics of defendant, complainant, attorneys, judge, jurors, law enforcement, and corrections officers.
- Demographic information should include, but not be limited to: data on race, sex, gender, socioeconomic status, ethnicity, age, and language use.
○ Sanctions and/or disciplinary actions
- This should include sanctions against law enforcement, prosecutors, defense attorneys, judges, DOC officers, and DCF officers, with the ability to cross-reference with conviction, law enforcement, and prosecutor integrity review.