

Mister Chair, Committee members, Gillian. Jeanette White from Windham County. Citizen who has some knowledge of the issues you are addressing both from my time in the Senate on this committee and now from my on going work in our county. Just to make it clear, I am not an expert. I have some thoughts, some are probably valid and some may seem a bit wacky or off base. But I will share them with you and you will do with them what committees do – listen to everyone, debate all the merits and make the decisions that you feel are best for the state of Vermont. So -Thank you for inviting me to weigh in on this issue.

When I first started thinking about how to compare and contrast the EO and S155 – the 2022 bill that would have created the Agency, it became a bit over whelming as I tried to put them side by side. And I also realized that neither are perfect and were it up to me I would make some changes in both. So I will make those suggested changes, my opinions, as I go.

- 1) The first thing to notice is that S155 is much more detailed in how the transitions would be made. This was done out of legislative drafting necessity and because there is a standard format for the creation and transfer of duties. I assume the Executive branch would work out these details also.
- 2) The EO has no departments within the Agency, only Divisions. S155 has 2 departments and divisions and an office – each defined in the bill. My guess is the EO used divisions as an funding issue because Departments require more expensive Commissioners. But whatever they are called I have some thoughts about where the different functions should live in the new structure.
 - a. EO has a Division of Law Enforcement headed by the top commander of VSP. S155 has a Department of Law Enforcement with the Division of State Police. And the Department is purposely not headed by VSP. One reason for that is that there are more law enforcement functions and activities under law enforcement than simply the VSP. Unfortunately in the field, the Dept of Public Safety is synonymous with VSP and this is an opportunity to change that. I fully support VSP but the Department/soon to be Agency is much more.

- b. As I said there are more law enforcement functions and activities in the state than VSP I would make a couple other Divisions under Law Enforcement that have the same standing as VSP -.
 - i. Not sure of a name but it would be for other law enforcement in state government – DLC, DMV, F&W for example. I know this is very controversial and would take a lot of testimony but it might be worth creating a home for these functions even if they aren't moved there at this time. A home that is not under the VSP.
 - ii. Another division would be the SIU – Special Investigative Units.
 - iii. Homeland Security would be its own division.
 - iv. I would also put VCIC here as its purpose is to collect and review crime statistics. It really has no functions relating to the other parts of public safety.
- 3) EO has a Division of Emergency Management. S.155 has it with Fire Safety. The EO makes more sense but it should be a full Department.
 - a. And HazMat, tech teams such as USAR/Swiftwater should be moved to Emergency Management rather than Fire where the EO has them. They are more connected to emergencies, natural disasters, etc than to Fire Safety.
- 4) Both address a business function. EO says Administration and Finance, S155 says Support Services. S155 is more detailed but it seems the intent was the same in both.
- 5) Both have Fire Safety - this should be its own department but without HazMat and tech teams.
- 6) S155 has an Office of Community Collaboration & Empowerment. For those of you who were here when this was written you can remember that we had a hard time naming it. Its goal was to create a process for communities to have input into policies and establish structures for meaningful community input. The EO does not address the issue of community engagement anywhere.
- 7) Both have the Sec as a member of the Cabinet. S155 has a bit more detail about the deputy and who is classified and who is not.
- 8) The EO has a licensing and certification section in Fire Safety. While this might be controversial, it would make some sense to treat that as a business function that could be

handled by OPR. Fire would still set the criteria, etc but OPR would do the administrative functions as it does for many other professions. This after all is their expertise and they have the systems set up to do it efficiently.

9) The EO has the Division of Radio Technology Services. S155 put this in support services. As I am more involved and learning from being in the field working with fire and law enforcement, I think perhaps neither is ideal. And here is where this strays somewhat from the EO or S155 but I bring it up because it is an opportunity.

a. At some point in 2018 I had a bill drafted to address the governance issues related to technology/telecommunications. This is such a huge issue but planning and oversight live in many place or sometimes nowhere.. The bill as drafted would have

- i. Consolidated many of the boards and committees dealing with technology and telecommunications
- ii. Created one central council (similar to the PUC) with responsibility to review all IT Plans to make sure they are integrated and complete. And here IT should be broadly defined to include technology and telecommunications.
- iii. Established standardized planning requirements to assure redundancy, resilience, performance and integration with other initiatives.
- iv. Agencies and departments would no longer approve their own plans but must gain approval from the central council to assure all those things mentioned above – including plans and processes of ADS.

b. I am not an expert on technology but I do understand governance and oversight. And as I work more closely with law enforcement, fire and dispatch, I understand more and more why this is so important. We know from experience that by not having effective oversight we miss the opportunity to integrate and be efficient with our resources. For years IT/technology languished in the Senate without a home – now it has a home and we should think about what that means. Does it make sense to have some issues in Finance, some in Institutions and some in Gov Ops.? Perhaps but at least there must be inter committee work. This is an area of tremendous importance now and in the future. So we need to build the

technology oversight capacity and now is a good time and opportunity to do it. The way I think about it is like two other systems.

- i. One is the ATM system – there is a backbone built that many entities can use because it is standardized.
 - ii. The other is the federal highway system. It operates as core routes that can serve all the states because it is standardized
 - c. The Radio Technology Systems in the new Agency of Public Safety should be planned and operated in concert with all other technology/telecommunications systems..
 - d. So I will ask you to consider all these issues when addressing this EO. I fully agree with the Governor about having an agency. In fact when I originally brought up the idea years ago, I went to Gov Scott to see how we could work together. But I think there are some details that might be wise to flesh out in a bill. And while I know that the creation of a council and looking at the whole issue of technology/telecommunications is complicated it should be part of this bill I hope you can work with Institutions and Finance to make some sense out of it and put us on a path to a better system of oversight and accountability.
- 10) I also encourage you to consider the structure of the agency as I have laid it out. Talk to people in the field to get their take. This would be an official State agency but the way it is structured will have a huge impact on those non state entities working in the field
- 11) In short my recommendation is that you vote against the EO and create a bill. Not because of opposition to the creation of the Agency but because you can have input into the structure and work with the Governor’s staff and others to create the best agency possible.
- 12) (am adding this – came up in discussion – there is no urgency to pass this now. If the EO is not accepted and you don’t pass a bill this year, the structure will continue as it is and you can continue to work on the ideal bill. This is a big step and it should be addressed carefully. Whatever you do now will be what the state will live with for a long time – there will be no appetite to make changes again in the next few years)
- 13) I will have some draft language for the creation of the central council that I talked about. Will get it to Gillian as soon as I can.