

REPORT OF THE DIVISION OF RACIAL JUSTICE STATISTICS STATE OF VERMONT OFFICE OF RACIAL EQUITY

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2024 Annual Report on Systemic Racial Disparities in the Justice System: Insights, Progress, and Strategic Recommendations of the Division of Racial Justice Statistics

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Division Mandate

Act 142 of 2022 establishes the Division for Racial Justice Statistics (DRJS) and mandates our collection, analysis, and dissemination of data on racial disparities in Vermont’s justice system. [Title 3, Chapter 68](#) of the Vermont Statutes requires that the Division monitor and report on the impact of racial bias across law enforcement, the judicial system, and other sectors, with the aim of supporting policy reform and enhancing equity. Accordingly, this Annual Report provides: A) Findings on systemic racial bias and disparities in the justice system in Vermont, B) Progress update on addressing findings of disparities in the justice system, and C) Data-focused recommendations. Current state and local data highlight evidence of disproportionate impact in criminal justice, juvenile justice, and early childhood outcomes, and we aim to strengthen data infrastructure to better track these areas and inform policy decisions.

I. Findings on Systemic Racial Bias and Disparities in the Justice System

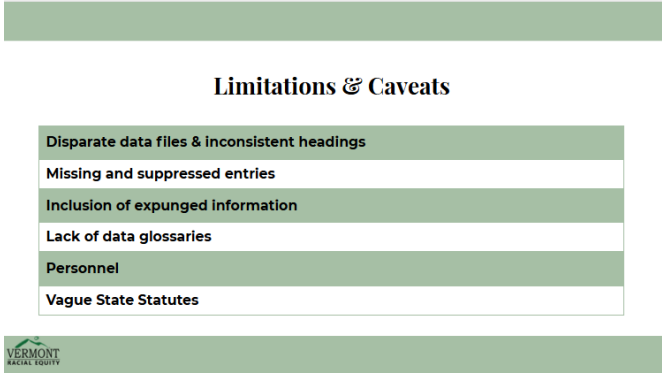
Summary of Main Takeaways

Data Landscape	Interpreting Data	Future Goals
The available data are inconsistent, incomplete, and scattered.	Data may be incomplete, inconsistent, or biased, complicating the possibility of drawing definitive conclusions.	Data Governance Council
Agencies lack shared understanding of what to report.	Systemic racism and bias can be harder to capture and may not show up in traditional statistics.	Dashboards
If DRJS experienced challenges, how does the public engage the data?	Statistical significance along with historical, social, and institutional contexts must be considered.	Insight Circles



Disproportionate impact occurs when certain groups are affected by a policy, practice, or system at a significantly higher rate than others, often in a way that does not align with their representation in the population. This may or may not be evident in the data, and in some cases, the data may be incomplete or unavailable for a full assessment. This year, we reviewed publicly available data from the Vermont Criminal Justice Council (VCJC), Department of Corrections (DOC), and the Agency of Education (AOE), as well as reports from other state and partner agencies, for evidence of potential disproportionate impact.

Our preliminary findings suggest that individuals identified as Black and/or Hispanic continue to experience over-policing, disproportionate sentencing lengths, and more exclusionary school discipline practices, when compared to the overall demographics of the state. However, we recognize the challenges associated with analyzing publicly available data and plan to reanalyze with de-identified data sets over the next year. Additionally, we will make our analyses available on our website over the next few months, including details on missing and suppressed data. We also hope to conduct more in-depth analyses beyond general descriptive statistics once more complete data is available. Further assessments of these and other data will strengthen our ability to explore factors that increase the likelihood of involvement in the justice system, including upstream drivers. These evaluations will aim to identify systemic biases while noting missing data and areas requiring more granular analysis. Ultimately, comprehensive analysis is necessary to draw definitive conclusions and address any identified issues.



The review of identified datasets aimed to uncover trends in disproportionate impact and disparities in Vermont, with a focus on racial and gender differences. Despite limitations in data quality, our preliminary findings offer valuable insights into current data collection practices and suggest next steps for investigating potential disparities across different demographics. Moving forward, we plan to approach these next steps with a life course perspective, considering how individuals' experiences over time may shape their involvement in the justice system, as well as a focus on data equity to ensure the dataset reflects diverse experiences and is accessible for public use. Collaboration with agencies holding this data will be key to improving data integration and ensuring that publicly available datasets are more useful to the public and other stakeholders.

Recommendations and Next Steps

Our initial analyses of publicly available traffic stop data, corrections data, and school exclusionary discipline data reveal potential disproportionalities, particularly when considering Vermont’s overall demographics. While these findings are based on the data identified, we note that they may be influenced by factors such as data cleaning practices, the handling of missing data, and the use of de-identified datasets, which may limit our ability to fully capture individual-level patterns. Moving forward, we plan to conduct a more comprehensive re-analysis in collaboration with key data stakeholders to enhance the accuracy and depth of our findings. This collaboration will allow us to address potential gaps in the data, including identifying officer-specific patterns and examining recurring behaviors, such as repeat offenders or cyclical patterns within the justice system.

Recommendation No. 1 (data governance protocols)

- 3 V.S.A. §5013(a)(3): "The Division shall, pursuant to section 218 of this title, establish, maintain, and implement an active and continuing management program for its records and information, including data, with support and services provided by the Vermont State Archives and Records Administration pursuant to section 117 of this title and the Agency of Digital Services pursuant to section 3301 of this title."
- 3 V.S.A. §5013(c): "The Division shall develop and adopt a data governance policy and establish a system or systems to standardize the collection and retention of the data collected; and methods to permit sharing and communication of the data between the State agencies, local agencies, and external researchers, including the use of data sharing agreements."
- 3 V.S.A. §5013(d): "The Division shall recommend to State and local agencies evidence-based practices and standards for the collection of racial justice data."
- 3 V.S.A. §5012(c): "To carry out its duties under this subchapter, the Division may adopt procedural and substantive rules in accordance with the provisions of chapter 25 of this title."



To address these issues and ensure an equitable and fair system, we propose the following actions:

1. Updating and Establishing Statutory Language for Data Collection:

Amending and expanding the current statutory language regarding data collection requirements would establish consistent standards statewide, enhancing data quality. Under [3 V.S.A. § 5013](#), the Division is authorized to “recommend to State and local agencies evidence-based practices and standards for the collection of racial justice data” and, in collaboration with the Executive Director and ORE Policy & Research Analyst, looks forward to recommending statutory language to address noted challenges in data collection.

2. Collaborative Analysis and Reporting:

To refine and expand upon these initial findings, we will work closely with data providers from municipal police departments, the Vermont State Police, the Department of Corrections, and the Agency of Education, and other stakeholder agencies. Collaborating with these stakeholders will allow us to access additional data, including officer-specific patterns and individual-level data that may not have been available in the de-identified dataset, as well as better understanding the context regarding any nuances in data collection practices. This will enable a more distinct understanding of disparities and help identify systemic issues that may be overlooked in aggregate data. By additionally integrating feedback from affected communities and equity organizations, we can further ensure that the findings accurately reflect the lived experiences of individuals impacted by these systems.

3. Enhance Data Collection:

A critical next step is refining our data collection processes to ensure completeness and consistency, particularly regarding race, gender, age, and incident type across traffic stops, corrections, and school discipline. Since the initial analysis was based on de-identified data, obtaining more detailed individual-level data will allow us to identify patterns such as repeat offenses, officer behaviors, and regional or systemic trends. This will improve our ability to assess disparities more comprehensively and accurately. For traffic stops, integrating real-time GPS data, along with consistent reporting on the reason for the stop and search outcomes, will enhance precision. In corrections, capturing data on prior encounters, recidivism, and sentence details disaggregated by race, ethnicity, and gender will improve tracking of systemic patterns. We might also recommend making certain data fields, such as parental status, mandatory during intake to better understand broader social impacts. For school exclusionary discipline, it is essential to

document the behavior leading to disciplinary actions, as well as contextual factors such as socio-economic status, special education needs, and race/ethnicity, to ensure a more complete and equitable analysis.

4. Prioritize Implicit Bias Training and Standardized Guidelines:

Implicit bias training should be prioritized for law enforcement, correctional staff, school administrators, and other decision-makers. Many of these professionals already are required to receive some form of implicit bias training but dismiss it as irrelevant to their work or as a burdensome chore not to be taken seriously. Given the disparities observed in ticketing, sentencing, and school discipline, this training is important to address how biases may influence decisions at various stages. As we gain access to more detailed data, we will analyze decision-making patterns, including practices regarding punitive measures that disproportionately affect certain demographics. This will help identify areas where bias may impact outcomes, enabling us to tailor training to address these specific issues. Additionally, establishing clear rubrics for specific offenses in traffic stops, corrections, and school discipline can help standardize responses, ensuring decisions are based on objective criteria rather than subjective perceptions, thereby reducing discriminatory actions.

5. Explore Restorative Practices and Restorative Justice:

Restorative Practice attempts to improve relationships and prevent conflict, while Restorative Justice focuses on repairing harm after it occurs. Restorative Justice is under the umbrella of Restorative Processes. An alternative to these approaches is a prevention model, which aims to avoid the harm entirely through individual and community supports, rather than restorative models that seek to address harm after it has occurred. To reduce exclusionary practices and address disparities, institutions can explore implementing restorative practices across traffic enforcement, corrections, and schools, and potentially other institutional settings. For traffic stops, community-based approaches to minor infractions could help prevent the criminalization of specific groups and reduce repeat offenses. In corrections, restorative practices could extend to the incarcerated population over current punitive methods, which disproportionately impact marginalized communities. In schools, shifting away from suspensions and expulsions – especially for underrepresented students and students of color—and adopting restorative practices that focus on reconciliation, support, and inclusion could help break cycles of exclusion and foster more positive outcomes. By focusing on repairing relationships and building a sense of belonging, schools can create environments where all students thrive. As an example, Chittenden County has access to programs such as Street Outreach and Community Outreach. Burlington Police Department runs CAIP (Crisis, Advocacy, and Intervention Programs) and within CAIP there are CSLs (Community Support Liaisons) and CARES (Crisis, Assessment, Responses, and Engagement) Clinicians. These programs are highly successful and should be early steps in the response to harm or mental health issues before law enforcement involvement commences. By implementing restorative approaches across various areas, institutions can create opportunities for inclusion, accountability and support, particularly for individuals from marginalized backgrounds.

6. Inform Institutional Practices and Policies by Applying an Equity Lens to Traffic Stops, Corrections, and School Discipline:

The Office of Racial Equity can collaborate with stakeholders to review and reform practices related to traffic stops, sentencing, bail, and school discipline to address racial disparities, applying an equity lens to ensure these systems do not disproportionately impact individuals based on race, gender, or socioeconomic status. In traffic stops, we can work with law enforcement agencies to evaluate and refine stop procedures, ensuring outcomes are not influenced by bias, reviewing how minor infractions are handled, and exploring community-based alternatives to prevent the criminalization of certain groups and reduce repeat offenses. In corrections, we will collaborate on reviewing sentencing and bail policies, particularly bond amounts and sentence lengths, with the goal of reducing disproportionate impacts on communities of color. We will also promote alternatives to incarceration, such as diversion programs, for non-violent offenders. While the courts set sentencing and bail decisions, Department of Corrections is responsible for enforcing them. The Department of Corrections (DOC) has adopted a version of the Office's impact assessment tool to review internal policies. Additionally, geriatric parole could be considered as part of this effort. In schools, we can support efforts to reduce exclusionary discipline practices, particularly for students of color, by exploring alternatives to suspensions and expulsions and shifting toward strategies that focus on reconciliation, inclusion, and support. By working with relevant institutions, we can help inform and support policies that promote fairness and equity, ultimately leading to more just outcomes across these systems.

7. Increase Transparency:

Increasing transparency in traffic stop practices, corrections policies, and school discipline procedures is crucial for addressing disparities. We will explore opportunities to collaborate with data sources to ensure that datasets, including officer role or shift data, correctional data, and school disciplinary records, are regularly updated and publicly available. Transparency is key to building public trust and identifying emerging disparities. Regular audits and public reporting can help detect misconduct, biases, and patterns, enabling prompt corrective actions. For traffic stops, this could include publishing aggregated stop-and-search data to reveal enforcement patterns. In addition, body-worn cameras (BWCs) may be useful tools. While almost all police departments in Vermont are equipped with BWCs, it is unclear whether all municipal police use them. Although many departments have BWCs, their use is not mandatory, and some agencies either lack the budget or have other reasons for not utilizing them. However, BWCs are not a panacea—they capture only one perspective, and what is seen on camera may differ from how individuals perceive or engage in a situation. Rather than focusing solely on BWCs, we would be more interested in comparing body camera footage with officer reports and evaluating how often the two align or misalign. In corrections, transparency may involve reporting outcomes by demographic group and tracking the use of solitary confinement or other punitive measures. DOC may also be in the process of acquiring BWCs but has indicated that insufficient wireless network access has impeded its ability to utilize them. In schools, public reports on disciplinary practices and their impact across demographics will help identify and address disparities in exclusionary discipline. Ultimately, this approach will foster greater accountability and enable institutions to take proactive steps toward equity.

By addressing these disparities and refining our analysis, we aim to create a more equitable system for all of Vermont’s residents and visitors. The next steps involve further collaboration with key stakeholders, more refined data collection, and targeted reforms based on a deeper understanding of the systemic factors contributing to disparities across traffic stops, corrections, and school exclusionary discipline. Through these efforts, we can move toward a justice system that ensures fair treatment, fosters community trust, and ultimately leads to a more equitable future.

II. Progress Update on Addressing Racial Disparities in the Justice System



Key Focus Areas

We are making strides in identifying, tracking, and monitoring racial disparities within the justice system. Our efforts aim to highlight improvements and setbacks over time across several critical domains:

1. **Police Practices and Arrest Patterns:** Collaboration with local police departments to analyze arrest patterns and outcomes by race, informing potential reforms to reduce racial bias in policing.
2. **Sentencing and Parole Data:** Gathering and assessing data across judicial bodies to ensure consistency and evaluate racial disparities in decision-making processes.
3. **School Discipline and Justice System Referrals:** Working with educational agencies to analyze racial disparities in school discipline and subsequent referrals to the justice system, addressing the school-to-prison pipeline.

Current Progress

- **Access to Carceral Records:** Completed a report exploring a national analysis of formerly incarcerated individuals’ ability to access their own records of incarceration and includes recommendations. [Report on Access to Carceral Records of Oneself](#)
- **Incarceration Analysis:** Completed initial analyses of the total incarcerated population using 2024 data. Collaborating with the Department of Corrections to examine:
 - **First-Time Entrants:** Preliminary reports indicate disproportionate arrest and processing rates for youth of color compared to White youth for similar offenses.
 - **Parental Incarceration:** Early findings suggest higher risks for children of incarcerated parents, particularly from Black and Latino communities, to enter the juvenile justice system or to have disciplinary infractions.
- **Youth Justice System:** Developing working groups with Department for Children and Families and other partners to investigate:

- **Delinquency Designations:** Assessing racial disparities in youth designations as delinquent or youth offenders, with initial findings pointing to bias in law enforcement and judicial decision-making.
- **Residential Facility Placements:** Data analysis shows significant racial disparities in placement rates, with youth of color more likely to be placed in secure detention or correctional facilities.
- **Early Childhood Education:** Initiating analysis of exclusionary discipline data in early and middle childhood, in collaboration with the Agency of Education and Building Bright Futures/Pre-school Development Grant partners.

Data Management Initiatives

Memoranda of Understanding and Data Sharing Agreements

- Initiating agreements between ORE, Agency of Digital Services (ADS), and various agencies to improve data access and coordination.
- Planning sessions with ADS and data collaborators to establish proper protocols, transparency, and data handling expectations.
- Exploring research partnerships with academic institutions like University of Vermont (UVM) and the Vermont Law and Graduate School (VLGS) for independent analysis of racial bias in the justice system.

Data Lake and Catalog Development

1. **Comprehensive Data Repository:** Collaborating with ADS to create a centralized Data Lake and Catalog for justice system data sources.
2. **Automated Updates:** Implementing systems for annual Data Lake and Catalog updates to ensure timely access to current data.
3. **RJSAC Integration:** Incorporating guidance from the Racial Justice Statistics Advisory Council (RJSAC) in data management processes to ensure alignment with racial justice goals. The Council focuses on evaluating changes in Vermont’s criminal legal and data systems over the past decade, identifying areas of progress and stagnation. It also defines what success looks like for the Council, provides recommendations for supporting the Division’s work, highlights potential pitfalls to avoid, and examines how intersectionality is reflected in Vermont’s systems and data.

Expansion of Division Scope and Collaborative Initiatives for Equity

Notable work includes the following:


- Participation on the **CCB Act 166 Sec. 15a Working Group**, where data on social equity applicants analyzed, and discussions focused on sustainable funding for the Cannabis Business Development Fund (CBDF), including challenges for small cultivators and the need for a network of advisors. Action items from this group include continued collaboration with the Agency of Commerce and Community Development (ACCD) and the Land Access Opportunity Board (LAOB) to refine community reinvestment recommendations.
- Collaboration with the **Department of Human Resources** on data analysis in employee outcomes.
- Exploring inequities in early childhood services through the multi-agency **Building Bright Futures/Preschool Development Grant** (BBF/PDG) partnership.
- Building expertise statewide by contracting with the Center for Equity and Excellence to offer key State of Vermont staff educational opportunities on equity gaps and mental health in early childhood.

- Developing **Data and Dashboard working groups** with agencies like DOC, VCJC, AOE, BBF/PDG, and DCF.
- Supporting a **Youth Capstone** project.
- Supporting grant writing initiatives.
- Upcoming **Data and Policy Research Reports**.
- Launching a **data and equity bootcamp** for state agencies and data collaborators.

These initiatives represent our ongoing commitment to addressing racial disparities through data-driven approaches and collaborative efforts across multiple sectors of the justice system.

III. Data-Focused Recommendations

<p>Enhance Data Transparency, Accessibility, and Quality</p> <p>Collaborate with agencies like DPS, DOC, and AOE to develop dashboards and improve public data sets, fostering public trust and enabling trend identification.</p> <p>Support Data Staff Capacity Building and Collaboration Across Agencies</p> <p>Provide the Vermont Criminal Justice Council (VCJC) with dedicated support to enhance data collection and reporting.</p> <p>Strengthen Data Governance and Integration</p> <p>Establish a Data Governance Council to oversee data completeness, accuracy, and integration. Ensure consistent data collection systems are in place across agencies, allowing for the identification of disparities and improving data-driven decision-making.</p>



- To address already noted systemic racial disparities in the justice system, it is essential to **enhance data collection and standardization** across various agencies. **Standardizing race and ethnicity reporting** is a foundational step, which can be achieved by implementing the **Office of Management and Budget (OMB) reporting standards** across all justice system datasets. See: <https://www.federalregister.gov/public-inspection/2024-06469/statistical-policy-directive-no-15-standards-for-maintaining-collecting-and-presenting-federal-data>. This would improve data **accuracy and consistency**, enabling a more robust understanding of disparities.
- Additionally, collaboration with the **Vermont Criminal Justice Council** and **Department of Public Safety (DPS)** is critical to **expanding arrest data collection**, including race-based information on arrest rates, charges, and outcomes. This will provide a clearer picture of racial disparities in law enforcement practices. Collecting **demographic data on key justice system professionals**, such as police officers, judges, attorneys, and teachers, is another important area. This data would help assess potential biases in decision-making processes and contribute to efforts aimed at **increasing racial and gender diversity** in the workforce. Furthermore, expanding the collection and analysis of **hate crime data**, categorized by race and perpetrator demographics, is vital for understanding racial violence and its relationship with the criminal justice system.
- A comprehensive approach also involves tracking data on **reentry programs and criminal history**. Implementing systems to monitor **racial and ethnic representation** in reentry programs and their effectiveness in reducing recidivism would ensure that formerly incarcerated individuals from communities of color are better supported in their transition back to communities. Similarly,

developing a system to track **criminal history and recidivism data** by race/ethnicity will help identify trends in repeat offenses, which are essential for crafting **targeted interventions** aimed at reducing recidivism rates. Lastly, expanding the collection of **victimization data**, particularly for **Black individuals in Vermont**, will provide insight into how different racial groups are impacted by crime and how these individuals are treated by the justice system.

- In addition to enhancing data collection, making this information more **accessible and transparent** is key to ensuring that systemic issues are identified and addressed. **Publishing deidentified justice system datasets online** will help increase transparency while protecting privacy, allowing researchers, policymakers, and the public to analyze racial disparities in a meaningful way. Tracking and reporting data on the **implementation and effectiveness** of justice system reforms, such as **bail reform, sentencing reform, and clean slate initiatives**, will provide critical insights into whether these policies are achieving their intended outcomes. Furthermore, ensuring that **police agencies collect and share data on community policing efforts**, especially in how communities of color are engaged, will help build trust and guide future policing strategies. Ultimately, the goal of these data-focused efforts is to **build an integrated data infrastructure** that facilitates research, evidence-based policies, and **targeted interventions**. This infrastructure will allow for **seamless data integration** across various justice system sectors—law enforcement, courts, corrections, and education—enabling a comprehensive, **data-driven approach** to addressing racial disparities. By creating a robust data system that tracks key metrics across these areas, we will be able to support **evidence-based policy decisions** and design more effective **interventions** that can reduce disparities and promote fairness across the justice system.

Additional details available upon request by emailing tiffany.northreid@vermont.gov.