



Center for Crime Victim Services

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TO: The Honorable Members of the Senate Judiciary Committee

FROM: Jennifer Poehlmann, JD

Executive Director, Vermont Center for Crime Victim Services

RE: S.109: An Act Relating to Miscellaneous Judiciary Procedures (Sections 30 and 31)

DATE: May 26, 2025

The following testimony is respectfully submitted by the Vermont Center for Crime Victim Services (Center) in support of S.109, specifically Sections 30: "Earned Time; Reduction of Term" and Section 31: "Victim Notification System Task Force; Report". Both sections reflect conversations that have taken place in multiple committees over the past years, most recently in House Corrections and Institutions, House Judiciary and Joint Legislative Justice Oversight. These sections reflect proposals agreed to by all impacted parties, and no opposition was raised, including by the Deputy Defender General, Marshall Pahl, when he testified in House Judiciary.

Section 30 aims to ensure that victims of offenders who earn time off their minimum release dates are also provided with notification, if they choose, no less than every 90 days. It is important to note that this "mirrors" the notice obligation to incarcerated individuals that the Department of Corrections (DOC) currently has in 28 VSA §818(b)(4)(B), and that the DOC agreed to this change. It is also worth recognizing that Chair Emmons stated multiple times during testimony that she had believed this was already law. As one of the chairs of the two Committees that lead the effort to establish "earned time" in 2020, and then spearheaded its reconsideration in 2021, ensuring timely notification to victims was a priority for the committees of jurisdiction. The modest change reflected in this section is a mere reflection of earlier efforts and was unanimously agreed to by the members of House Corrections and Institutions and House Judiciary.

Section 31 proposes to provide guidance and direction to language that was added last session to Act 159, An Act Relating to Miscellaneous Amendments to the Corrections Laws by Senate Judiciary. The language stated: "The review of the Department's earned time program shall also include an examination of the current operation and effectiveness of the Department's victim notification system and whether it has the capabilities to handle an expansion of the earned time program. The Committee shall solicit testimony from the Department; the Center for Crime Victim Services; victims and survivors of crimes, including those who serve on the advisory council for the Center for Crime Victim Services; and the Department of State's Attorneys and Sheriffs."

This language was initially put forth by Senator Sears when testimony was offered that raised serious concerns about the state of victim notification in Vermont post-conviction, including the functionality and accessibility of the automated VINE (Victim Information and Notification

Everyday) system. VINE is a national program that is intended to provide correctional (and other) agencies with the ability to meet the responsibilities they have related to victim notification. The DOC has been utilizing VINES for over 15 years, and victims along with other interested parties can register to receive notifications. Concerns raised over the years, including in Senate Judiciary last session and underscored on two different days before Joint Justice this past off-session include, but are not limited to:

- The elimination of a “menu” of notification options. This had previously been a facet of the system, giving victims the choice about which notifications they wanted to receive and how information would be provided. As it now stands, victims who register can only receive notification of every “event” or not register at all. The system has this capability, and victims deserve agency over this information.
- The lack of language accessibility. Currently the system only supports non-English speakers whose preferred language is Spanish. A review of communication access needs shows that in Vermont, other languages are more prominent, such as Nepali, Somali, Swahili and Arabic.
- Improving access to information by those who process differently, have disabilities and/or are in trauma, i.e. focusing on readability, font size and using trauma informed language and approaches.
- Ensuring that the notifications that are “triggered” are correct, and not missing information.
- Identifying training needs.

The Center understands the expressed concerns about the Legislature’s role in continuing to establish task forces and work groups. In some instances, they do play a critical role in ensuring concerns identified to and by the Legislature are addressed collectively, serving as a foundation upon which future legislation can rely upon as additional changes and reforms are contemplated. The Center believes the Task Force proposed in Section 31 is such an instance.

There is no cost to the state for implementing this proposal, as the Center provides a stipend for victims and survivors. There is a cost, however, to all Vermonters if we continue to support a system that is not being utilized to its full capacity and poses a threat to victim and community safety; this Task Force holds the promise of moving us forward. Both sections are intended to make critical improvements to Vermont’s system of victim notification. Timely and accurate release notification provides a lifeline for victims, ensuring predictability and providing time for a victim to take important steps toward planning for their own physical and emotional safety.

The Center appreciates the Committee’s consideration of these amendments added by the House and hopes for your support.

