

From: Ashe, Tim <Tim.Ashe@vermont.gov>
Sent: Monday, January 23, 2023 11:43 AM
To: AEmmons <AEmmons@leg.state.vt.us>; ctroiano@leg.state.vt.us; mbirong@leg.state.vt.us; mmccarthy@leg.state.vt.us
Cc: Hoffer, Doug <Doug.Hoffer@vermont.gov>
Subject: VCJC and DOC Audits

Good morning, Alice, Chip, Mike, and Matt:

In September our office released an audit of the Vermont Criminal Justice Council's oversight of training requirements and law enforcement agency policies. You can find it [here](#). We also released the audit of the DOC grievance process in December which is [here](#).

While I provided an overview of the VCJC audit to Justice Oversight, we are happy to do a brief overview in either or both of your committees. The topics have some jurisdictional overlap, thus my note to both. (I do not think Judiciary has a direct role with this policymaking, but let me know if I'm mistaken).

While the need for general oversight of VCJC's progress on addressing our recommendations to them is certainly the overriding takeaway, there were three specific items we flagged for the Legislature.

1. **Consider modifying 20 V.S.A. §2358(c) to require that candidates for law enforcement certification take a minimum of four hours of FIP training.** The current law does not specify the minimum length of this training block, and in some instances the amount of training to meet this requirement is extremely short (an hour or less).
2. **Consider requiring VCJC to review and assess whether law enforcement agencies have adopted the policies required by Title 20, Chapter 151 for their current policy versions *and* whenever an agency makes a change.** The Legislature intended for there to be real consequences if law enforcement agencies didn't meet the minimum requirements of model policies. There is no current system of ensuring that the initial policies are compliant, nor is there one for reviewing any subsequent changes.
3. **All officers are supposed to have received 16 hours of ARIDE training by Dec 31, 2021. VCJC guidance appears to contradict the law, which will need to be addressed either by VCJC requiring compliance or seeking a change to the law.** All officers have not received this level of ARIDE training. If the Legislature is okay with that, the law should be modified. If the Legislature wants all officers to meet that level of training, then that is a discussion to have with the VCJC.

The DOC audit did not have specific recommendations to the Legislature, but the findings relate to the management of Vermont's correctional facilities and help inform a number of the discussions both your committees are having.

Let me know how we can help.

Tim

Tim Ashe | Deputy State Auditor
Office of the Vermont State Auditor
132 State Street | Montpelier, VT 05633-5101
802-318-0903 | auditor.vermont.gov