

RDAP Minutes December 3, 2019

Present: Shela Linton, Etan Nasreddin Longo, David Scherr, Geoffrey Jones, Jessica Brown, Rebecca Turner, Judge Grearson, Garry Scott, Karen Vastine, James Pepper.

Community: Xusanna Davis, Racial Justice Alliance

Announcements: Etan: Joint Justice Legislative Oversight Meeting is on December 10.

Minutes: Note for the minutes that Grearson was late. Rebecca, move to adopt, Shela seconds.

The minutes are inaccurate in terms of the timeline—the submittal deadlines changed. This will be noted by asterisk on the prior minutes.

Discussion of report:

Etan: we need to be very efficient with our time. Much of this we already have agreement on, please recall this. It is my hope that we will have unanimity. This will serve as an important message to the legislature. We will not all have complete agreement

Section A - Section 168(f)(6)(A) - pages 3 and 4.

Suggested changes: delete the final sentence of the introduction on page 3. All favor this motion.

Grearson: “or the appropriate branch of government” at the end of first paragraph. All favor this motion.

When we reference systems of state government in the report below, these include agencies such as DOC, DCF, states attorneys.

We recommend the continued funding for 211. . .

Section B - Section 168(f)(6)(B) - page 4 and top of 5

The panel “submits” instead of “reached consensus”

If we use the phrase criminal justice systems, we will use the phrase, criminal and juvenile justice systems.

Karen’s edit on capitalizing Deaf and Hard of Hearing.

Rephrase bullet point 4 to make it clear that we will continue to require law enforcement in first sentence. Final sentence states expansion of managerial and supervisory training.

Final bullet point: delete final bullet point in current draft.

Work to be done: Panel agrees we will address this in future report.

Add bullet point: the panel did not adequately discuss associated penalties. The panel will discuss this in the future.

Section C - Section 168(f)(6)(C) - pages 5 and 6

First hollow bullet: divide into two bullets to emphasize both judicial processes and administrative. Move the high impact, high discretion language to the full bullet point. Also include public defender.

Accept Rebecca's changes, except for "and released."

Work to be done: how to include reports from the stopped individuals about how they

Page 6: discussion: accept all Rebecca's changes.

Second paragraph, expand reference to administrative decision-making and court processes so that we include the language in hollow bullet points on prior page for clarity.

Third paragraph deleted, except that third sentence of third paragraph gets added to second paragraph. It is the intro to second paragraph.

What is data governance? Best practices in handling data. Include this phrase at the end of the sentence.

Further Discussion and Recommendations - pages 7 through 9

Paragraph on Discretion: last two sentences be struck. All in favor.

Paragraph on sentencing: remove it all. All in favor.

Paragraph on caseload pressures: delete last sentence: all are in favor.

Training and Outreach: Rebecca's proposal approved. Plus "racial equity" after racial biases. All are in favor.

Mental health paragraph: "prevent" excessive use of force. Change to substance "use" disorders.

Substitute some other word for actors.

Non-Consensus Reports - page 10

Motion: remain as is.

Work to be done: ombudsman.

Conclusion - pages 10 and 11

Add: not “only” individuals to 5th sentence.

Preamble - page 2

Period after disparities in the paragraph before preamble.

Second sentence: race is a “construct” not myth, plus the conjunction is “and” not but. Strike the words, “they are thus victims of a second order.”

Add “and white privilege after the first usage of white supremacy”

Add Rebecca’s language about focus on criminal and juvenile justice systems advisory panel.

Etan: communities of color strongly support the longer version of the preamble.

Rebecca: I was trying with my edits to bring white supremacy to the top. Also to reorient to focus on criminal and juvenile justice systems.

Karen Vastine moves, Shela Linton seconds the motion. Unanimous approval to support this report.

Change all titles so name is first, then title.

Appellate Defender Rebecca Turner, Office of the Defender General

Don Stevens, Chief

Nulhegan Band of the Coosuk - Abenaki Nation