

# Memo

**To:** Alice Emmons – Chair House Institutions and Corrections Committee

**From:** Dean George, Parole Board Chair

**Date:** April 6, 2016

**Re:** S.116

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On behalf of the Vermont Parole Board, thank you for considering our concerns on S.116.

Of particular importance is the proposed language on Page 1 – *Sec. 1. 28 VSA 456 (b) & (b), (1)*.

For many years the Parole Board has benefited from occasional legal counsel provided by the VT Attorney General's office, on legal matters that have come before the Parole Board. Counsel provided has been specific to advice on release of information by the Parole Board office, case law & statute interpretation for parole board training, as well as representing the board on cases that are litigated. Representing the Parole Board on matters of litigation requires the expertise of attorneys involved in probation and parole matters.

At no time has there been a conflict of interest between the legal counsel provided to the Parole Board and the Dept. of Corrections. The Parole Board makes all its decisions at Parole Hearings independently with no advice or representation by legal counsel.

Please consider the following amendment to 28VSA 456 (b), & (b) (1) as a means to accomplish the spirit of the proposed change without impacting on the quality of representation afforded the Parole Board, nor increasing unnecessarily the cost for legal representation to the State.

*Sec 1. 28 VSA 456 (b) added to read:*

**(b) The Parole Board shall not be represented by any attorney who at the same time, has;**

**(1) an attorney – client relationship with the Dept. of Corrections on a particular matter presently before the Parole Board.**