

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H.533 Name of Bill: An act relating to Victim notification

Agency/Dept: State Police/DPS Author of Bill Captain Ingrid Jonas
Review: _____

Date of Bill Review: 02/09/16 Related Bills and Key Players: _____

Status of Bill: (check one)

☒ Upon Introduction ☐ As passed by 1st body ☐ As passed by both bodies

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in # 8 below

Analysis of Bill

1. Summary of bill and issue it addresses. *Describe what the bill is intended to accomplish and why.*

This bill would require law enforcement (first responder law enforcement, and later, corrections and/or DMH staff) to formally provide alleged victims with information about the status of an alleged offender in certain instances. For police, this would mean contacting an alleged victim when we have knowledge that an alleged offender is released on bail or conditions after an arrest and prior to arraignment. At that time, police are often the only ones to know that the defendant was released back to the community by a clerk or a judge, with or without conditions. This information directly impacts the alleged victim.

2. Is there a need for this bill? *Please explain why or why not.*

Yes, there is a valid need for alleged victims to be notified in instances when an accused person is released back into the community, prior to arraignment. Often times, that information impacts safety decisions alleged victims are making. There is also the same need in cases where the offender is released from the custody of the VT Department of Corrections or the Dept. of Mental Health. The proposed law would close the loopholes in instances where victims may not have been consistently notified, and where it is unclear whose role it is to make notifications.

3. What are likely to be the fiscal and programmatic implications of this bill for this Department?

Programmatically, law enforcement would have an added step in our procedure in cases where an arrestee has been released back into the community prior to arraignment. That step would be to contact the alleged victim and provide that information. It would need to be made clear the acceptable means for "when and how" this step would be implemented by police.

4. What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it? DOC and DMH would have to follow a similar process.

5. What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it? (for example, public, municipalities, organizations, business, regulated entities, etc) There should not be any entity that does not support this proposed law.

Please return this bill review as a Microsoft Word or PDF document to Jahala.Dudley@vermont.gov and Jessica Mishaan@vermont.gov

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why? Victims, advocates for victims, Vermont Center for Crime Victim Services.

6.2 Who else is likely to oppose the proposal and why? Unknown

7. Rationale for recommendation: *Justify recommendation stated above.*

As stated above, this bill gives necessary information to victims of crime during times when they need to make informed choices about their safety needs. This is about public safety and fits into our mission as a department. Also, we are likely doing this already. Lastly, there is no cost attached to this bill for any agency.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.* We would need the law to reflect reasonable notification “windows” to work within, and clarity around acceptable forms of notification, i.e. a phone call or text message within XYZ amount of time after conditions of release are set.

9. Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many? No

Secretary/Commissioner has reviewed this document



Date: 2/12/16