



Vermont Criminal Justice Council

RULES COMMITTEE: Minutes

September 9, 2021

September 9, 2021

9:00 AM

Teams Meeting

Members in Attendance:

Sheriff Mark Anderson

Evan Meenan

Brian Searles

Bill Sorrell

Members Absent:

Cassandra Burdyslaw

Other Attendees:

Jacob Humbert – Assistant Attorney General

Heather Simons – Executive Director Vermont Police Academy

Cindy Taylor-Patch – Vermont Police Academy

Lindsay Thivierge – Vermont Police Academy

Call to order:

Meenan called the meeting to order at 9:01 AM

Motion to Approve the Minutes:

Sorrell moved to approve the minutes. Searles seconded the motion. The motion passed unanimously.

Discussion of timeframe for this Committee's work:

The Committee agreed Sorrell, Simons, and Meenan will meet separately to discuss what the Committee has accomplished thus far and a proposed timeline for completing the Committee's work.

Presentation by Meenan about the requirements in the Administrative Procedure Act for contested cases:

Meenan gave a PowerPoint presentation. Humbert abstained for the most part from the conversation in the event he acts as the administrative prosecutor during contested cases. He did flag that the procedures the Professional Regulation Committee put together address some of the issues covered by the Administrative Procedures Act, such as notice. Sorrell suggested including a rule that affirmatively states the Council will follow the contested case procedures in the Administrative Procedures Act as modified by any additional procedures the Council may adopt. Humbert noted that the Council's enabling legislation already requires the Council to follow the Administrative Procedures Act. Sorrell and Meenan both stated the need for and the necessary content of a procedure may become clearer after the Council conducts a few contested cases pursuant to the Administrative Procedures Act.



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Meenan will put some draft rule language together that requires the Council to follow the Administrative Procedures Act.

Agenda for September 23 Meeting:

Discuss overlap of the work by the Rules Committee and the Training Advisory Committee, with a presentation from Searles who also serves on the Training Advisory Committee.
Discuss rule language drafted by Meenan re contested cases.
Discussion of proposed timeframe for the Rules Committee's remaining work.

Potential Future Agenda Items:

To be determined.

Motion to Adjourn:

Sorrell moved to adjourn the meeting. Anderson seconded the motion. Searles was not present for the motion because he had to leave for another commitment. Meenan, Sorrell, and Anderson voted in favor of the motion, which passed as a result.
The meeting adjourned at 10:06 a.m.