



Vermont Criminal Justice Council

RULES COMMITTEE: Minutes

November 18, 2021

November 18, 2021

9:00 AM

Teams Meeting

Members in Attendance:

Sheriff Mark Anderson

Cassandra Burdyslaw

Evan Meenan

Brian Searles

Bill Sorrell

Members Absent:

None

Other Attendees:

Heather Simons – Vermont Police Academy

Jacob Humbert – Assistant Attorney General

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 as amended. Burdyslaw seconded the motion. Searles and Anderson abstained. The motion passed unanimously.

Review of comprehensive rewrite of rules:

The review resumed with a discussion of the waiver rules. That discussion started with Searles reviewing some recommendations from the Waiver Committee on which he and Anderson sit.

The Rules Committee decided to include in proposed Rule 8 the ability for the Executive Director to refer a waiver request to the Waiver Committee for review and recommendation, as well as the ability of the Council to delegate in writing the responsibility to make decisions on certain waivers to the Waiver Committee provided the Committee can refer requests to the full Council.

The Committee decided to recommend that the standard for waivers in proposed Rule 8 be revisited. Meenan, Searles, and Humbert will meet to discuss the standard.

The Committee decided to flag the first recommendation for the full Council because it might result in a revision to draft Rule 24(i) (existing rule 18(d)) that lays out the subject matters where minimum



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proficiency must be demonstrated. Meenan will draft a rewrite of subsection (i) for the full Council's consideration.

The Committee decided not to codify the second recommendation regarding the composition of the Waiver Committee in the rule. Instead, the Council's Chair and Executive Director should consider the recommendation when making future appointments to the Waiver Committee.

The Committee did not finish discussing the Waiver Committee's third recommendation and will resume its discussion with that at its next meeting.

Agenda for December 2 Meeting:

Continue to review the comprehensive rewrite of the rules.

Potential Future Agenda Items:

Continue to review the comprehensive rewrite of the rules.

Motion to Adjourn:

Sorrell moved to adjourn the meeting. Searles seconded the motion. The motion passed unanimously. The meeting adjourned at 10:05 a.m.