**Vermont Criminal Justice Council**

**Working Group for Act 56 review (per H.476)
Location: via Microsoft Teams**

**October 18, 2023**

**Members:**

1. Christopher Louras, Chair
2. Sheriff Mark Anderson
3. Chris Brickell
4. Chief Jennifer Frank
5. Kim McManus
6. Mike O’Neil
7. Trevor Whipple
8. Lt. Col. James Whitcomb - Proxy for DPS Commissioner
9. Tucker Jones
10. Michael Major

**Others:**

1. Kevin Rushing, OPR
2. Motion to approve 10/04/23 minutes by Whitcomb, seconded by Frank. Passed unanimously. 10-0-0
3. Recap of prior meeting’s work and where we’re at now: Code of Conduct is a recommended tool for the VCJC to contemplate professional misconduct which could include decertification of an officer. If a statutory recommendation is made, it would be to replace violations of a department’s policy with violations of the VCJC’s code of conduct.
	1. Code of Conduct v4. Went line by line.
	2. Section 1. General agreement
	3. Section 2:
		1. Confirm/verify list of protected categories;
		2. Discussion of nexus to official position;
	4. Section 3: Capture Cat B language. The specificity actually creates more vagueness.
	5. Section 4: As captured, it provides no clear language of what is or is not acceptable. Could create procedural justice issues. Decided to strike.
	6. Section 5: General agreement
	7. Section 6: General agreement – policy shift is this would include off-duty behavior.
	8. Section 7: Lots of dialogue
	9. Section 8: Lots of dialogue; ideas about adopting 20VSA2401(2)(a); considered EEOC language
4. Motion to adjourn by Louras. Second by Anderson. Passed unanimously.

Minutes record by: M. Anderson