VCJC Fair and Impartial Policing Subcommittee

10am-12pm on Friday, June 9, 2023

Location: Zoom

**MEETING MINUTES**

**Attendance List**

**MEMBERS PRESENT:**

Amanda Garces, Chair

Xusana Davis

Gregg Jager

Barbara Kessler

Rachel Lawler

Tim Lueders-Dumont

Karen tronsgard-Scott

Katie Palmer (proxy for Justin Stedman)

**ALSO PRESENT**:

Rossy Alfaro

Emilio Morales

Enrique Balcazar

Jose Ignacio

Will Lambek

Madeleine Sharrow

Erin Jacobsen

Ann Schroeder

Chris Brickell (proxy for Jenn Firpo)

**Notes**

* Meeting minutes by Erin Jacobsen
* Meeting called to order a few minutes after 9; quorum achieved.

**Agenda**

1. Call to Order: Chair Garces

2. Introductions

3. Approval of Meeting Minutes of April 14, 2023

4. Public Comment

5. FIP report (clarifications and possible vote)

6. FIP Policy – Next Steps

7. FIP training

8. Next steps

9. Motion to adjourn

**Opening/Intros**

* Favorite flowers

**Approval of April 14 meeting minutes:**

* Barbara Kessler moved, Karen Tronsgard-Scott seconded.
* Voting members all voted to approve with the exception of Tim Lueders-Dumont, who abstained as he was not at the last meeting. Minutes approved.

**Public Comment:**

Anne Schroeder expressed concern about why there are two sections of the former 2016 policy that are not in current policy—that state and local law agency shall not make warrantless arrests on suspicion of unlawful entry unless the suspect is apprehended in the process of entering the United States, and that officers ICE agents should be given access to people in state and local law enforcement custody. Anne indicated she has never gotten a good answer to why the new AGO proposal can’t include those 2016 protections when they were approved by the AG in 2016.

Chair Garces thanked Anne Schroeder for her comment and there were no additional comments.

**Discussion:**

FIP policy—updates and next steps

Chair Garces opened by explaining that the agenda would have to be modified slightly, as the committee would not be able to vote at this meeting on the proposed FIP policy changes. Amanda then asked Erin Jacobsen to provide updates on where the AG stands on the current AGO recommendations.

Erin Jacobsen reported that the proposal is on Charity Clark’s desk awaiting final review after several meetings between Erin and Julio Thompson from the AGO, the ACLU, and Migrant Justice, with assistance from Amanda Garces. Erin indicated that recommending FIP updates is still a priority, but the AGO has been incredibly busy and so she cannot present policy proposals until the AG has had time to meaningfully review the recommendations.

Will Lambek reported that he had been representing Migrant Justice at the meetings, but reporting back to MJ’s leadership body. Will then turned it over to Jose Ignacio from MJ’s leadership team to report out to the FIP subcommittee.

Jose Ignacia reported that MJ is ready to accept many of the proposals under discussion, but that there are several places where the policy leaves room for improvement or more collaboration, especially the provisions pertaining to the federal law 8 U.S.C. 1373—folks need to be realistic and acknowledge that those parts leave too many loopholes. In contrast, said Jose, in the towns that have adopted the “Winooski model,” MJ has seen no problems. Jose added that until the loopholes are closed, migrant workers will remain in fear of going out, that they still do not feel safe.

Will Lambek added that MJ has tried to act in good faith and that MJ understands that there are several committee members who are hoping for a consensus recommendation, but there are some bright lines that MJ cannot accept for fear of leaving the door open to state and local agency cooperation with ICE and Border Patrol. Will added that the 2016 policy was weakened in response to Trump Administration’s threat against sanctuary cities and much of what MJ is hoping for is a reversion to the 2016 policy or like what other jurisdictions around the state have adopted, as with Winooski, which has had its policy since 2018 without any problems or incidents or collaboration or lawsuits against them. Will indicated that MJ feels they have travelled quite far to reach consensus but there will be some places where there is not consensus and MJ is asking for the committee to make the brave choice and stand up for a policy that protects immigrant communities and against discrimination.

Chair Garces explained that when the committee is presented with the policy changes to vote on, it will be a comparison between the current policy and the AGO recommendations and then MJ’s recommendations, with explanations about where there is consensus and where there is not and why.

Erin Jacobsen and Will Lambek acknowledged that there are a couple of minor changes that MJ suggested a couple of days prior that were not on Charity’s desk. Will emphasized that they are minor and should not slow the review process by the AG.

Chair Garces asked what other information might be helpful for the committee to have for reviewing the recommendations.

Karen Tronsgard-Scott thanked everyone for working so diligently on the policy and expressed that she found the historical overview helpful and clarifying. Karen also suggested the committee be thinking about how it will communicate its decision to the full VCJC. Karen added that she thought it was helpful to have the side-by-side chart comparing the different provisions; Barbara Kessler agreed.

The committee members then compared calendars to see if it could convene before the next subcommittee meeting on July 14th, assuming the AG can complete her review in the next couple of weeks. After having difficulty landing on a date Xusana Davis implored fellow committee members to please prioritize this process, reminding the committee that migrant workers begin their work day at 4 am and end at 10 pm.

Amanda Garces indicated she would send out a Doodle Poll. In terms of reviewing the final recommendations, Amanda said she hoped to get everyone the document one week before the next meeting so members have time to review ahead of a vote.

FIP training

Julio Thompson will be leading FIP trainings with a focus on hate crimes across the state. Chair Garces suggested that instead of asking Julio to come to the committee and provide a brief presentation about the themes of the trainings, that committee members all try to take a training or two and then provide feedback that way. If that doesn’t work, then Julio can certainly come to a meeting and provide an overview.

**Next steps/additional comments**

Chair Garces acknowledged that the committee had already discussed next steps and so then solicited additional comments. None offered.

**Motion to Adjourn**

Karen Tronsgad-Scott moved to adjourn the meeting; motion seconded by Gregg Jager; unanimously approved. Meeting adjourned around 10:50 am.