

The Council is grounded in prevention and works to ensure justice by building equitable and effective opportunities for children, youth, and families to thrive in Vermont.

Council for Equitable Youth Justice a.k.a. Children and Families Council for Prevention Programs

February 16, 2023: Meeting Notes

Members Present: Karen Vastine, Mike Loner, Kreig Pinkham, Laurey Burris, Amy Davenport, Kirsten Kersey, Sparks, Stu Berry, Linda Johnson, Mackenzie Mazza, Katherine O’Day, Matt Wolf, Donn Hutchins, Christopher Lukasik

Members Missing: Mercedes Avila, Julia Brand, Katherine O’Day

Partners Present: Elizabeth Morris, Tyler Allen, Lindy Boudreau

Guests: Jessica Barquist

The Chair called the meeting to order at 10:33 am

Updates from the Chair:

- The Council’s Annual Report will be submitted this week.
- Elections of 2023/24 Council officers will take place in May this year.
- Thank you to Christopher and Amy for their work on Council issues during the Legislative Session.

Current Legislative Update: Christopher and Amy

- S4: reviewed the status of SB4 and the Council engaged in discussion on:
 1. The original proposal was to increase the current “Big 12” offenses to include up to 45 offenses and to expand the Youthful Offender process. Council’s position: partial support the expansion of the “Big 12”.
 2. S4 proposes an extension of Raise the Age implementation of 19 year olds until 2025. The Council does not support this position and proposes as a compromise delay of implementation for a shorter period of time. Legislators appear to support the compromise delay position.

Passed Motion to: Approve System Improvement Committee’s position as discussed on S4. Motion made by Christopher, seconded by Amy. Passed unanimously with no abstentions.

- Changes to the Youthful Offender Process
 1. The Council discussed current issues and misunderstandings about the Youthful Offender process. The Council does not support changes to Youthful Offender process as recommended by the Administration, specifically the proposal from the Administration to move jurisdiction to the Criminal Court instead of the Family Court. The Council also discussed the proposal that youthful offenders be required to enter a conditional plea of guilty in the Criminal Court prior to the case being transferred to

the Family Court for a hearing on whether YO status should be granted. The Council did not reach consensus on this issue so no position was taken.

- H175: This bill updates the Council's statutes to reflect its current practices and scope of work and changes the Council's name to the Council for Equitable Youth Justice. The House has passed this bill out of Committee, and we anticipate the full House will act favorably on the bill in time for crossover.
- H142: This new bill proposes to (1) increase the minimum age at which a child may be subject to juvenile delinquency proceedings from 10 to 12; (2) prohibit the use of solitary confinement and corporal punishment on children placed in secure facilities; and (3) require that when a defendant who is under 18 years of age is sentenced for a crime, the court must consider whether the child was subjected to any early childhood trauma or adverse childhood experiences as potential mitigating factors. After discussion, the Council:

Passed a Motion: To support H142 with an intent to propose a definition of solitary confinement that does not include sight and sound separation. Motion made by Amy, seconded by Stu. Unanimously approved with no abstentions.

A potential new Council member, Jessica Barquist of the Council against Domestic Violence, joined the meeting and was introduced.

Governance Committee Report: Karen

Karen led the Council through a discussion on the Committee's work and three items for action, all of which had been referenced in prior Council Meetings. After discussion the Council:

Passed a Motion: To approve the Member Position Description as recommended by the Governance Committee. Motion made by Donn, seconded by Mike. Motion passed unanimously with no abstentions. See attached Member Position Description.

Passed a Motion: To amend the Council's Bylaws, Article IV Membership as recommended by the Governance Committee. Motion made by Amy, seconded by Donn. Motion passed unanimously with no abstentions. See attached Council Bylaws; Article IV Membership.

Passed a Motion: To remove all references to the Children's Trust Fund from the Council's Bylaws. Motion made by Amy, Seconded by Donn. Motion passed unanimously with no abstentions.

Systems Improvement Committee Report: Christopher

An additional proposal of amendment to S4 was discussed. It was recommended that Interest of Justice hearing be required for 18 year olds now and 19 years old once the age of Family Court jurisdiction is raised to 19. After discussion the Council:

Passed a Motion: to include an amendment to the age when an Interest of Justice hearing is Required to include 18 and 19 years old as part of the Council's position on S4. Motion made by Christopher and seconded by Amy. Motions passed Unanimously with no abstentions.

ERD Committee Update: Sparks

The ERD Committee is in the process of implementing smart goals. It is also in the process of creating an RFP for Anti White Supremacy and Racial Equity work that will involve the entire Council.

Elizabeth's Maternity Leave: Karen

- DCF will be posting a part time position to replace Elizabeth while she is on maternity leave.
- Tyler will handle all Title II issues in Elizabeth's absence.
- DCF will try to complete any Council grants that are in process while Elizabeth is on maternity leave, but the process is likely to slow down.
- Council members may need to "volunteer" for tasks during Elizabeth's absence.

There being no further business the Chair adjourned the meeting at 12:55 pm