

Addison County State's Attorney

Candidate Questionnaire: Eva P. Vekos

The ACLU of Vermont reached out to each candidate for state's attorney in June 2022 and asked about their views and policy intentions through a series of county-specific questions.

1. Candidate: Eva P. Vekos

2. **Q:** For many, the money bail system perpetuates widespread wealth-based incarceration: those who have money are released from jail while their court case is pending, those who do not have money remain in jail while their case is pending. Will your office adopt an office-wide policy to not request monetary bail?

A: No. I don't believe that a blanket policy on bail is appropriate because every case is unique. The law in Vermont permits bail to be issued in order to mitigate the risk of flight from court, and it should be considered only in that rare event. Bail should be used sparingly and not to punish those that are economically or socially marginalized.

3. **Q:** In 2018, Vermont passed a law lowering the maximum bail amount for expungable misdemeanors to \$200. If you will not adopt a policy to never request monetary bail, will you adopt an office-wide policy to not request monetary bail for individuals charged with expungable misdemeanors?

A: No. Although I would not adopt a blanket policy, my office would only seek bail in the rare instance when it is necessary to ensure a defendant's return to court. The amount of bail requested should take into account the financial means of the defendant, rising inflation and rising fuel prices. I agree that it is appropriate to have certain low-level misdemeanors expunged to avoid life-long consequences, but it is not just to automatically eliminate bail in every one of those cases. When litigants avoid prosecution it causes delays and further backlog in our courts which is unfair to those that are awaiting justice and opportunity to be heard.

4. **Q:** Access to a vehicle is a practical necessity in a rural state, and yet many Vermonters have lost their licenses because they have been unable to pay traffic fines. In 2015, then-State's Attorney T.J. Donovan instituted a "[Driver Restoration Day](#)," where those with suspended licenses could pay \$20 per fine and have their license restored. Within one year of being sworn into office, will you institute or participate in a similar driver's license restoration program?

A: Yes. There is no reason why driver's licenses should not be restored simply because of the inability to pay a fine. From the point of view of public safety and law enforcement, it is more important to focus on penalizing drivers that are dangerous or reckless, not impoverished.

5. **Q:** Will you, at minimum, maintain the Addison State's Attorney Office's DLS diversion program?

A: Yes. I fully support the DLS diversion program which has likely saved a great deal of tax dollars and met the needs of the community by restoring driver's licenses to those who need them.

6. **Q:** The Vermont House of Representatives recently passed a bill that would have reduced penalties for drug prosecutions. One of the bill’s goals was to reduce racial disparities in Vermont’s drug prosecutions. Will you write and publish a drug prosecution policy that adopts, at a minimum, the categorization and limited penalty structure of [H. 505 \(2022\) as passed by the Vermont House of Representatives?](#)

A: Yes.

7. **Q:** Will you institute or participate in an expungement clinic in your county within one year of being sworn in?

A: Yes.

8. **Q:** Will you, at minimum, maintain the Addison County Prosecutorial Guidelines?

A: Yes.

9. **Q:** Will you track and publish data on your office’s charging decisions, diversion recommendations, bail recommendations, plea offers, and sentencing recommendations by race/ethnicity, gender, age, and public defense eligibility to identify and address racial, gender, and class disparities in your office’s prosecutions?

A: Yes.

10. **Q:** A recent Council of State Government’s report recommends Vermont’s state’s attorneys’ offices “develop internal guidance to support consistency in charging and plea-bargaining decisions.” To the extent your office does not have such policies, within two years of being sworn in, will you publish policies regarding charging, bail, plea bargaining, Brady/Giglio obligations, sentencing, and data collection?

A: Yes.

11. **Q:** Addison County is home to numerous immigrant farmworkers. As state’s attorney, will you train and direct prosecutors, in written policies, to consider the immigration consequences of a conviction during each stage of a case, and to favor dispositions that avoid adverse immigration consequences?

A: Yes. I am aware that a criminal conviction for what we would consider a “minor” offense in Vermont can lead to devastating immigration consequences for unnaturalized citizens and their families. In my profession as a defense attorney, I am taught to understand immigration consequences for clients and advise them as to how to mitigate those consequences. In my 25 years of experience, no prosecutor has ever taken immigration consequences into account when making a charging decision or plea negotiation. I look forward to changing that practice in Addison County.

12. **Q:** Vermont is in the midst of an unprecedented overdose crisis. Overdose prevention sites or mobile services, where individuals can use their own drugs in view of medical personnel ready to save their life, help prevent needless deaths and have been implemented in hundreds of locations around the world. There has never been a recorded death in an overdose prevention site. Do you support the opening of overdose prevention sites or the use of mobile overdose prevention services in Vermont?

A: Yes. On a profession level, I see the ravages of addiction every day – particularly how it impacts families and children. On a personal level, I have lost loved ones to the scourge of opiate addiction. I would support any measure that would save lives, so long as it is safe and not disruptive to the surrounding community.

13. Q: As state’s attorney, will you expand your offices use of restorative justice and court diversion services and publish data showing such an expansion?

A: Yes. Restorative justice and diversion in Addison County are essential and should be fully staffed and funded. The outcomes of these programs are long lasting, more effective and less expensive. Law makers should expand these programs with additional funding.

14. Q: Vergennes traffic stop data from 2015-2019 showed that Black drivers are nearly 4 times as likely as white drivers to be searched during a traffic stop, despite being less likely than white drivers to be found with contraband during searches. Black drivers were also two to four times more likely to be stopped by Vergennes police. Will you adopt a written policy, similar to that of the [Chittenden County SAO](#), where non-safety related traffic stops resulting in arrests are presumptively not charged because they may be based on a pretextual stop?

A: No. A blanket policy on this important use would not be useful – nor would it take into account the unique circumstances of every police encounter and the cases that result. However, I would adopt a policy of scrutinizing all traffic stops and police encounters to examine whether police intrusions are legally justified and not due to bias, prejudice or over-zealous policing. Any evidence of bias, dishonesty or illegality will lead to a full investigation and the strictest measures.

I am aware that the City of Vergennes has explored the creation of a Citizen Review Board and I fully support any plan that involves civilian oversight and mutual awareness with law enforcement. A “Report and Proposal on Civilian Review Board, Vergennes, Vermont” was published on January 11, 2022, and I encourage everyone to read about their hard work and recommendations here: https://www.vergennes.org/government/citizen_review_board_exploratory_committee.php.

The International Association of Chiefs of police issued a draft Vergennes police staffing and workload report that talks about community-police engagement and that supports a civilian advisory board. I support these steps to attack systemic racism and bias in any community.

15. Q: Will you decline to prosecute children for typical childhood behavior such as disorderly conduct, fights, smoking marijuana, or other low-level infractions committed in school or the community that do not result in serious physical harm, and instead reject the case or refer them to restorative justice processes?

A: Yes. The data show that diversion and restorative justice for youth and children is far more effective than prosecution to reduce recidivism rates and further acts of delinquency.

16. Q: Will you develop, implement, and/or continue updating a “Do Not Call” or “Brady” witness list, and require all prosecutors in your office to reject new cases and search warrant requests from police officers with histories of dishonesty, racism, or bias?

A: Yes, without a doubt.