

## COMMENT SHEET

Comment #:	Page #	Line #	Comment	
<b>Barry Kade</b>				
1	General		If it is decided to prohibit the marriage for reasons of "security," will the details of the refusal be conveyed to the parties?	The reason for the denial will be included in the response that is provided to the inmate. However, it is the inmate's responsibility to convey to his or her partner the reason for the denial, if they choose to do so - DOC will not communicate with the intended spouse regarding any denial decisions.
2	General		If inmates who are both incarcerated wish to wed, what is the procedure?	The same procedure would be followed, just duplicated at both facilities.
3	General		If an inmate who is released, but still under DOC supervision, what is the procedure for marrying a person not under the DOC yoke?	This would not apply; this applies to inmates being supervised in facilities only. An offender being supervised in the community shall follow VT marriage laws and procedures. However, if the offender wanted to marry someone else out of state, the offender might not be able to leave the state and would likely require spouse to travel to Vermont and be married in Vermont.
4	General		If an inmate who is released, but still under DOC supervision, what is the procedure for marrying a person also under supervision?	If the intended spouse were in the facility, they would have to follow this policy as well as go through the process for visitation approval; if both are being supervised on the in community, the offenders would just need follow-up with their Field Office to ensure there is not a non-contact condition for their field supervision.
5	General		If an inmate who is released, but still under DOC supervision, what is the procedure for marrying a person incarcerated? Visits are generally restricted until a year has passed since supervision/release.	They would have to follow this policy as well as go through the process for visitation approval.
6	General		Will a person participating in 'treatment' either as a sex offender or for violence be permitted to marry?	This would be determined on a case by case basis; we cannot deny marriage based on crime.
7	General		May a person adopt the child(ren) of their new spouse (subject to court approval)?	This goes beyond the scope of this policy; that would be determined by family court.
8	General		Can you constitutionally deprive spouses of visitation?	Yes; if there are safety and security concerns such as a history
<b>Annie Ramniceanu</b>				

9	Form		On the Inmate request form, does it make sense to have the verbatim reason for denial section under both the Superintendent and Commissioner sections?	Yes, we will include this in the form.
10	General		Can they appeal? And if so how...	Inmates may appeal decisions through the standard grievance process.
<b>Tracey Harrington</b>				
11	1	31	Should the Request to Marry Form be uploaded into the Attachments section of OMS?	Yes; I will work with MJ to include OMS language in the internal DOC policy.
12	1	31	Should the guidance document include a step for updating the Marital Status?	Yes; we will include this in the internal DOC policy.
<b>Patricia Bennett</b>				
13	General		This is the exclusive relationship we call marriage where you merge your money, your decisions, your bodies, your social life, and your journey of growth. You will see the best and worst in each other. You will build great memories together. You will make ridiculous mistakes together. You will face setbacks and obstacles. And you will become intimately acquainted with someone who is every bit as imperfect as you. As a result, everything in marriage is intense and works best when you: Pursue selfless interaction. Your partner will know you well enough to comfort you at a deep level or create damage. Listening without giving quick solutions, showering your spouse with compliments, and developing non-verbal responses that create a safe environment are vital in marriage even though they are optional in most other relationships. Explore physical ways of expressing love. The power of sexual intimacy is now yours to explore together without restrictions. How does this description even come close to an offender who wants to marry and is serving a sentence of 3,4,5 years. This is mind boggling.	We appreciate your feedback. However, marriage is a fundamental and constitutionally protected right; DOC does not have the ability to deny inmates the right to marry based on our personal beliefs of what marriage entails and what is needed to have a successful marriage.
14	General		The department is going to use resources, tax payers money to accommodate someone who has committed a crime that justified that person being incarcerated so they can marry?	The inmate is required to pay for all costs associated with the ceremony excluding the cost of supervision. This was mentioned in the internal DOC policy but will add language to the Rule to make this clear.
15	General		Does the offender pay for the overtime for the staff that gets ordered over to accommodate all that encompasses this "ceremony"	No; the State pays for state employee time
16	General		The added possibility of contraband being brought into the facility if others are allowed in	This is subject to the same process for standard visit approval and the DOC policy on visitation shall be followed.

17	General		What are the criteria?	The criteria DOC applies to requests to marry while incarcerated are outlined in this Rule as well as the internal DOC policy.
18	General		Does the person have to have been in a relationship prior to incarceration?	No.
19	General		What is the purpose of the directive? Why is this even being discussed?	This policy is being updated to reflect changes in marriage laws, as well as to create guidance for staff to ensure there is consistency applied across the department when considering requests for marriage.
20	General		How many of these are performed each year?	In 2017 - 2
21	General		At what expense to the tax payers of Vermont?	The only cost associated with the marriage that is not covered by the offender/spouse is the cost of paying DOC staff, which would be a cost to taxpayers regardless.
22	General		If their relationship can last during the incarceration period on the day the person is released have the wedding.	We appreciate your feedback. However, marriage is a fundamental and constitutionally protected right; DOC does not have the ability to deny inmates the right to marry based on our personal beliefs of what marriage entails and what is needed to have a successful marriage.
23	General		How is marriage going to help rehabilitate a drug trafficker, a person with domestic assault charges, or a sex offender?	The intent of this Rule is not to address rehabilitation services.
24	General		I am baffled as to why this is even a discussion when there are so many other issues; overcrowding, lack of staff retention, drugs in the facilities and how it is getting in to the facilities, and time is spent on an issue that should not even be an issue. This is a poor use of facility resources and staff. A waste of taxpayers' money.	We appreciate your feedback. However, marriage is a fundamental and constitutionally protected right; DOC does not have the ability to deny inmates the right to marry based on our personal beliefs of what marriage entails and what is needed to have a successful marriage.
<i>(Feel free to use additional space as needed)</i>				