

Good Morning Chair Hardy,

My name is Tucker Jones and I am an attorney at the Department of Public Safety. I want to bring to your attention two concerns DPS has about S. 17, Draft 2.3, set for testimony this afternoon. It appears the parties do not have alternative draft language for Section 7 regarding law enforcement assistance for survivors of domestic violence, and unfortunately the current language in Draft 2.3 is not workable from the perspective of the Vermont State Police. VSP has reviewed this section and concluded it does not have the capacity to be the backstop for this task, it is operationally not feasible for VSP to provide this service as contemplated in this section, and it has the potential to impact VSP's ability to respond to active calls. VSP notes the assistance identified here is not necessarily short in duration; it can include moving a small amount of property or a large amount of property in a planned moveout event involving a moving company and hours of time. For VSP, it is largely an issue of staff capacity, not just money.

This is of course an important service for victims and DPS is willing to work on alternative solutions to it, including trying to identify alternative funding sources and potential alternatives to traditional law enforcement assistance with this task. However, DPS does not support the current language in Section 7 and recommends striking it.

I recognize this bill is moving out of Committee very soon, but I also wanted to let you know we are concerned about the expansion of Category B conduct in Section 1. This section adds "gross negligence," "willful misconduct," and "abuse of powers" to Category B conduct. These terms do not provide clear direction to officers, employers, or the Council regarding what conduct is covered by these new subsections. To the extent the Committee and stakeholders want to examine and potentially expand the scope of the Council's professional regulation authority, the Commissioner recommends the matter be studied in a systematic manner over the summer. As it is currently structured, professional regulation at the Council implicates employer discipline and employee rights, and we want to ensure any changes to these sections provide clear guidance to everyone.

I am always available to discuss this topic further, and the Colonel and I are available this afternoon at 1:30 if you would like us to testify on these issues.

All my best,

Tucker

Tucker Jones | Assistant General Counsel

Vermont Department of Public Safety

45 State Drive | Waterbury, VT 05671