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Ms. Maida Townsend
Chair, House Committee on Government Operations

In re: H22

Madam Chairwoman

I am writing to you as committee chair overseeing H22 as introduced.

I currently hold a position on the legislative committee of VSEA, and held a seat on the 2016 summer study committee on which H22 was based. I represent the sworn state law enforcement officers who are currently part of the non-management unit of VSEA.

I strongly believe in the intent of H22, and want us to be able to support a final bill.

However, I am writing to express concerns with H22 as presently written. I find there is language missing from what was agreed upon during the summer study committee. Please see the attached document referencing proposed changes to section 2403 of H22 which includes what I recall being discussed.

In speaking with Mike O'Neil, president of the Vermont Trooper Association, who was also on the summer study committee, we agree that this revised language needs to be added and/or the present language changed in order for us to continue to support H22. This attached language was discussed in the summer study committee, but to our displeasure it never made it to this final bill.

I am also concerned that the council is primarily a body of people appointed by the governor. This would not be objectionable if we were not talking about the possibility of this council acting as judge and jury of investigated law enforcement. I cannot see how a predominantly political body, such as this, could possibly be unbiased or unmotivated by political pressures that may manifest around a high-profile incident involving an officer. I will admit that I also do not have a viable alternative suggestion except to offer that there should

be more peer level representation on the council, or an entirely new body created for disciplinary purposes. This concern was voiced at summer study.

I believe the disciplinary authority of the council, if this bill was adopted, would completely circumvent the ladder mill process and/or the bargained rights of all state and municipal law enforcement union members. Due process rights of law enforcement are of substantial concern if this bill is passed in its current form. The council has no oversight and answers to no higher authority. This concern was voiced at the summer study, but no satisfactory solution was offered.

On Page 17 line 13 of section 2406 (2) there was language that stated "suspension for a period not to exceed six months" in the summer study final draft. This language is now removed in H22. The new language, which was not agreed to, has the suspension cap removed. My concern is that without a suspension cap, in lieu of dismissal, an officer would not be able to provide for his livelihood and be forced to resign unless the suspension was paid.

I look forward to testifying on these concerns.

Respectfully



Kelly Price
Sr. State Game Warden
VSEA Legislative Committee