



VERMONT NETWORK

**Testimony on S.5 – Proposed Amendment
An Act Relating to Criminal procedure; pleas
Senate Committee on Judiciary
January 17, 2017**

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Policy Director**

Thank you for the opportunity to speak to you regarding a possible amendment to Senate Bill 5 which would repeal the requirement in all cases that the prosecutor state the reasons for the plea on the record in open court. The Network opposes this amendment.

The Network supports the current practice as outlined in current statute VSA 13 §6565 which requires that state's attorneys place on record in open court the content of the plea agreement, including the offenses charged and the disposition of those charges, and the prosecutor's reasons for entry into the plea agreement as permitted by the rules of criminal procedure.

The transparency of the judicial process especially in significant cases of direct personal harm – whether listed or unlisted crimes (i.e. unlisted crimes such as criminal threatening, voyeurism, or the sexual exploitation of a child) is necessary to maintain the dignity and respect of the victim and their family and to continue to support the public trust in court processes. When a serious charge is pled down, transparency as to the cause allows for clarity and explanation. When such an explanation is made openly, the public is less likely to draw false conclusions about the case and the parties involved.

For these reasons, the Network supports continuing with the statute as currently written.

Thank you.