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STATE OF VERMONT
GENERAL ASSEMBLY
SENATE COMMITTEE ON JUDICIARY

February 15, 2017

The Honorable Patrick Leahy
U.S. Senator
199 Main Street, 4th Floor
Burlington, VT 05401

The Honorable Bernie Sanders
U.S. Senator
1 Church St, 3rd Floor
Burlington, VT 05401

The Honorable Peter Welch
U.S. Representative
128 Lakeside Avenue, Suite 235
Burlington, VT 05401

Dear Senator Leahy, Senator Sanders, and Congressman Welch:

In light of the Boston Globe Spotlight article on sexual abuse in private schools (December 16, 2016) (copy enclosed), the Senate Committee on Judiciary is considering whether Vermont's laws should be strengthened. Vermont laws require a superintendent of a public school and the headmaster of a private school to request criminal record information on their employees from the Vermont Crime Information Center. The Vermont Crime Information Center is required to send to a superintendent a copy of any criminal record. However, by law, the Vermont Crime Information Center is limited to sending a headmaster a copy of any Vermont criminal convictions and a notice of any criminal record that is located in either another state repository or FBI records, but not a record of the specific convictions. See 16 V.S.A. § 255.

We would like to eliminate this information disparity by providing headmasters of private schools with access to criminal record information on the same basis as provided to superintendents. However, we understand from testimony that federal law prohibits giving these access rights to individuals who are not officials of state or local governments. See Pub. L. 92-544 (1972).

We respectfully request that you seek to have this law changed in order to allow headmasters of private schools to have access to criminal record information on the same basis as provided to superintendents and other government officials.

Thank you for all that you do for Vermont and we look forward to corresponding with you in the coming months about this important issue.

Sincerely,

Senator Dick Sears, Chair