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**State of Vermont**  
**Department of Public Safety**  
45 State Drive  
Waterbury, Vermont 05671-2101

To: House Committee on Government Operations  
From: Department of Public Safety  
Date: April 28, 2022  
Re: S. 250 - An act relating to law enforcement data collection and interrogation (**Draft 1.1**)

The Department of Public Safety continues to support the direction of reforms in S. 250, but believes more work is needed to clarify the basic operation of the proposed *Giglio* database in Draft 1.1. One of the main concerns in the Department's [prior memo](#) on S. 250 is the scope of categories of potential impeachment information. These categories include certain "allegations," information that "may be used to suggest" bias, and information that "reflects" an impaired recollection or perception of truth. From the Department's perspective, some of these categories are too broad and vague, and in general they are ill-suited for the basis of information to be included in a database under the framework proposed in this bill.

The Department has not proposed alternative language for the categories of information to be included in the database because it has not yet fully consulted with the relevant stakeholders, including the Vermont Criminal Justice Council, the Vermont League of Cities and Towns, and the Department of State's Attorneys and Sheriffs. The Department is also mindful that the proposed database may affect the employment of municipal, county, and state officers with varying legal and employment interests.

Additionally, the Department is cognizant that the proposed database will require significant work by the Criminal Justice Council. It is unclear whether the Council has the resources, personnel, and legal and administrative support to create and maintain a confidential database with data input from over 70 entities and access by 15 entities, train those entities on how to use the database, and administer and adjudicate disputes regarding information in the database. This information will inform whether a fiscal note is necessary.

Finally, the Department is uncertain of the policy preferences by the interested legislators, which will inform any recommended changes by the Department. The proposed database in S. 250 as passed by the Senate differed little from the version of the database as introduced, and it did not receive significant attention and testimony in the Senate Committee on Government Operations. In short, more work is needed to hone the structure and substance of the proposed database so it meets the expectations of legislators and functions effectively at the Criminal Justice Council. For these reasons, the Department recommends that this matter be studied further, and welcomes the opportunity to work with this Committee and stakeholders to craft a bill that addresses these issues.