



**H. 534 - Sealing of Records Draft 2.3**  
**House Judiciary Committee - January 27, 2022**  
**Sarah Robinson, Deputy Director**

Thank you for the opportunity to submit written testimony on the proposed changes to H. 534. We thank the committee for your continued work on this bill and efforts to streamline and expand sealing eligibility in Vermont. We are appreciative of the proposed changes in the updated draft of the bill.

**Victim Restitution and Compensation**

The Vermont Network supports the proposed changes regarding access to sealing-related information for the Restitution Unit and the Victims' Compensation Program. Although current law requires that restitution be satisfied prior to a petition being granted, unfortunately there are cases where restitution has not been satisfied prior to records being sealed. Direct notifications being made to the Restitution Unit when a petition is filed will enable the Restitution Unit to ensure that restitution orders have been satisfied prior to sealing. Likewise, it is important that Victims' Compensation remains available to victims after a record is sealed. Allowing the Compensation program to have a redacted copy of an affidavit to qualify a victim for Compensation is an important safeguard of victims' rights. For some victims, it can take years to realize the impacts of crime - possibly after a record has been sealed. This will allow victims to still seek compensation to assist with their healing after a record has been sealed.

**Unauthorized Disclosure**

In previous testimony, the Vermont Network highlighted concerns regarding the original language in section 4 on unauthorized disclosure. Our concern was that, as written, the language was too broad and could potentially create a civil liability for victims who share information about their experience. We have proposed the language that you see in the current draft in Section 4, which clarifies that the liability regarding unauthorized disclosure sits with actors within the justice system. We support this amended language as drafted.

Many thanks for your consideration.