



Memo on S. 254 - An act relating to creating a private right of action against law enforcement officers for violating rights established under Vermont law

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The Vermont Network supports S. 254. We believe that this bill is an important step towards creating a system of public safety response that is accountable and responsive to the needs of our communities. This bill and others like it in states across the country are a welcome cultural shift in not just accountability in policing but in dismantling the embedded systemic racism.

Victims of domestic and sexual violence often experience complex and paradoxical involvement with law enforcement. In some cases, victims rely on law enforcement to help provide critical safety at moments when it is most needed. However, both domestic violence and sexual assault are highly underreported crimes. The most recent [National Crime Victimization Survey](#) administered by the Bureau of Justice Statistics indicates that only 52% of domestic violence incidents and 33% of sexual assaults were reported to law enforcement in 2019. There are many reasons why victims choose not to report their crimes, but one reason is fear of police response - including police violence. This fear is exacerbated in traditionally marginalized communities – including among survivors of color, and LGBTQ survivors. It is essential that citizens at large – especially victims of crime – have confidence in law enforcement officers. We believe that this bill will enhance the relationship between law enforcement and communities by improving trust and confidence in law enforcement response.

One of the concerns we heard as we listened to testimony from the law enforcement community on this bill was the fear that if passed, this bill would impact an officer's willingness and capabilities to respond to certain calls – in particular, domestic violence calls. The Vermont Network reached out to colleagues in Colorado, New Mexico and Connecticut to hear whether there has been an impact on law enforcement response after passage of similar bills in their states. While these laws are very new and there is little empirical data to support this, these coalitions anecdotally reported that there has not been any negative impact on law enforcement response. We believe that the same would hold true here in Vermont.

The law enforcement community in Vermont has worked diligently and collaboratively with advocates for many years. We will continue to strongly support law enforcement efforts to create safety and improve law enforcement response to victims of domestic and sexual violence. In our view, part of creating this safety is creating trust and faith in law enforcement response by all members of the victim community.

Thank you for your consideration. Please do not hesitate to reach out to me with any questions.