

State of Vermont

House of Representatives



Montpelier, Vermont

House Resolution

H.R. 18

House resolution calling on Franklin County Sheriff John Grismore to resign from office

Offered by: Representatives LaLonde of South Burlington, McCarthy of St. Albans City, Birong of Vergennes, Branagan of Georgia, Burditt of West Rutland, Dolan of Essex Junction, and Pajala of Londonderry

Whereas, House Resolution 11 of 2023 created the Special Committee on Impeachment Inquiry to investigate whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach Franklin County Sheriff John Grismore, and

Whereas, the Special Committee met five times during the autumn of 2023 and interviewed 26 witnesses in the matter of John Grismore, and

Whereas, on August 7, 2022, Mr. Grismore was involved in a widely publicized use-of-force incident during which he kicked a shackled man who was in the custody of the Franklin County Sheriff's Office, and

Whereas, significant concerns have been raised over Mr. Grismore's potential mishandling of financial matters in the Franklin County Sheriff's Office and regarding the Franklin County Sheriff's Office's performance under its law enforcement contracts with municipalities, and

Whereas, while there is no specific standard in the Vermont Constitution or in U.S. history for what constitutes impeachable conduct, the recurring theme throughout most or all impeachments is conduct that undermines the position of trust to which the official has been elected, which may include improperly exceeding or abusing the powers of office, behaving in a manner that is incompatible with the function and purpose of the office, or misusing the office for an improper purpose or for personal gain, and

Whereas, Mr. Grismore paid himself \$16,550.14 for his retirement compensation between December 2021 and July 2022, requiring the Franklin County Sheriff's Office to provide the Vermont State Employees' Retirement System with \$20,232.02 in January 2023 to restore the employer and employee contributions owed to the State pension system, and

Whereas, on December 6, 2023, the Vermont Criminal Justice Council found, by a unanimous 16-0 vote, that Mr. Grismore had engaged in unprofessional conduct through his excessive use of force in violation of the Statewide Policy on Police Use of Force and, by a subsequent 15-1 vote, imposed its highest sanction by permanently revoking Mr. Grismore's law enforcement officer certification, and

Whereas, Vermont law enforcement officer certification is essential for the performance of many of the duties of the office of Sheriff, including proper supervision of deputies, but the Vermont Constitution does not require such a qualification for holding the office, and the legal precedents are quite clear that a state legislature cannot impose qualifications for election to a constitutional office that go beyond those expressed in the state's own constitution, and

Whereas, the excessive use-of-force incident and the inappropriate retirement payments, which are the most concerning conduct identified by the Special Committee on Impeachment Inquiry, occurred prior to the election of Mr. Grismore to the office of Sheriff, and

Whereas, only in rare circumstances should an elected official be impeached for pre-incumbency conduct, and such circumstances do not exist in the matter of Mr. Grismore, now therefore be it

Resolved by the House of Representatives:

That while this legislative body does not find articles of impeachment to be appropriate at this time, this legislative body urges Mr. Grismore to resign from the Office of Franklin County Sheriff for the good of the people of Franklin County, and be it further

Resolved: That this legislative body urges the Vermont Senate to adopt a proposed amendment to the Vermont Constitution authorizing the General Assembly to establish reasonable qualifications for the office of Sheriff, such as holding a valid Vermont law enforcement officer certification, and be it further

Resolved: That the Clerk of the House be directed to send a copy of this resolution to John Grismore and to the Vermont State Senate.