



Chair LaLonde, Vice Chair Burditt, and Committee Members,

My name is Samantha Prince, and I am the Executive Director and Interview Specialist at Windham County Safe Place Child Advocacy Center in Brattleboro, Vermont. Safe Place is one of thirteen child advocacy centers in Vermont, and I would like to express our deepest gratitude for your consideration and desire to implement the bill, H. 173, an act to prohibit manipulating behaviors intended to facilitate sexual contact with a child.

As you may know, Vermont is actively working to bring changes to charges relevant to sex crimes, including sex crimes specific to children, up to date to align with current issues and technology. This bill is a testament to this imperative and critical movement.

I was able to contribute thoughts on this bill last year and wish to echo the same questions and sentiments. On its face, this bill is amenable to many. However, there are several nuances that could be addressed to make this bill more powerful in serving child victims of sexual abuse.

First, perpetrators that are luring, enticing, manipulating, or “grooming” a child for the purposes of sexual contact should be considered at age 18 and older. There are many young adults that engage in these behaviors with juveniles as they can easily form relationships with teens and children in high school and middle school having graduated themselves in the last few years.

A few case examples can be shared but essential facts are as follows: a young person between the ages of 18 and 22 is still part of the school-aged community and maintains ongoing relationships with younger students. After turning 18, 19, or even 22, the young adult is still communicating with children, 17 and under, in an attempt to have sexual contact (media, physical, written, verbal, etc.) with them. The age gap of 48 months would miss a large part of the population that is intentionally targeting children to manipulate them for sexual purposes.

Next, a few other states have explored this topic and contemplated language and legal issues. Texas and Indiana blazed the trail, followed by other states who waited to see how the language and practice would play out. It seems the best recommendation for grooming, or manipulating a child, would be to include this charge as an enhancement to other sex crimes that already exist. Otherwise, there is concern that normal child-rearing activities could be considered grooming a child.

The primary concern for a standalone grooming law is that one cannot say with certainty that the actions of one person toward a child are conducted with the intent of something sexual in mind or as the end game. For example, a young adult takes care of teens





struggling in homes where neglect is abundant. The young adult offers meals, rides to appointments, guidance, support, etc. All of this would align with manipulation, if a sex crime were to be committed. These seemingly normal and harmless actions could be considered manipulation. Without a sex crime happening, it cannot be said with certainty that these actions were for the purposes of sexual contact.

However, as an enhancement, this law could be applied to the majority of sex crimes which would help to increase penalties and offer more protections for victims, in addition to more information for the community. Convicted offenders would have a harder time minimizing their sex crime with the manipulation enhancement added.

Additionally, there have been several cases in Vermont where a person has been convicted of sex crimes against a child and has been caught using the same manipulating tactics with other children, without having gone through with the acts of abuse due to time or other constraints. In these incidences, it would be helpful to have the option of adding manipulating as a law on its own, with language specific to a pattern (multiple children, repeated attempts, history, etc.).

In conclusion, recommendations that the age gap be reconsidered, the burden of proof be considered, manipulation be considered as an enhancement, and otherwise considered when there are multiple cases or additional information that would inform the intent of the alleged perpetrator to demonstrate a pattern or predilection. At this time, there should be more research into how to create an entirely standalone manipulation law.

Thank you again for your time and consideration.

Sam Prince