

*S.4-An act relating to
reducing crimes of violence
associated with juveniles and
dangerous weapons*

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BENNINGTON COUNTY STATE'S ATTORNEYS OFFICE

Opening remarks

The Department of State's Attorneys and Sheriffs ("the Department") is in favor of the S.4 as passed by the Senate. During a roll call, S.4 passed the Senate 28-2. The bill passed out of the Judiciary Committee 4-1. As noted in the stated purpose of S.4, the bill "propose[s]...measures to reduce crimes of violence associated with juveniles and dangerous weapons..."

Section 1

- ▶ 2 impacts
 - ▶ Expanded access to youthful offender
 - ▶ Option of criminal process provides necessary tools to address public safety promptly-does not foreclose youthful offender options going forward
 - ▶ Does not expand youth's exposure to the criminal division, just the speed with which the State can act
 - ▶ Violations of conditions of release set by the criminal court should be addressed by the criminal court
 - ▶ Our experience-Gage Street

BENNINGTON POLICE DEPARTMENT
BENNINGTON, VT
STATEMENT

Case # 21BN04532
46BN0

NAME: [redacted] DOB: 06-18-04 TELEPHONE: [redacted]

ADDRESS: [redacted] Bennington, VT

EMPLOYER: [redacted]

I [redacted] give the following statement to Off. Buck whom I know to be a Bennington Police Department Officer. I make this statement on my own free will and accord without threat or promise to me, knowing that this statement can be used for or against me in a court of law.

In the middle of October Kass and "Laka" Odalys Velez showed up uninvited fighting needing a place to go for a little bit. They approached my mom, [redacted] and asked to come in for a couple hours to get away from cops. They then asked to stay for one night until they went back to Springfield Mass. The next day they never ended up leaving even tho they were asked. After a week every time they were told to leave they would threaten my mother and intimidate the both of us. They then brought more people known to be Christian, Lucky Bob, North End Bicky and a few others from Springfield to stay with them. Over the

Madison

BENNINGTON POLICE DEPARTMENT

Case # 21BN04532

NAME: [redacted]

course of the last couple of weeks I have witnessed multiple sales of drugs by Christian, Kass, and Lucky Bob, as well as Odalys Velez. Christian has a gun with a dussie bottle sticker that he keeps on him at all time fully loaded that was also used to intimidate both me and my mother. Odalys Velez had a fully automatic Glock that she kept hidden under the mattress of the room she put her stuff in which is my brothers room. The fully automatic gun has been pointed at me with comments of how they are not afraid to use it and they are "bad ass" by Odalys. I was scared for mine and my mothers lives. I was brought into Odalys in my brothers room by Kass at 2:30 in the morning when the incident with the gun happened. From that time on they were told multiple times to leave and would either threaten

SIGNED: [redacted] this 18 of Nov, 2021

NAME

my mom or just ignore what they were being told. They put cameras around our house and in our house so they know what we were doing and saying at all times. They made us stay in our bedrooms at all times I had to keep food and drinks in my room because I wasn't allowed down ~~the~~ my stairs. They would order take out every night but not feed us even tho they eat all of our food. They made me feel like a hostage in my own house. I was scared to death and that they would kill me. Brittney Onorato (my cousin) stayed with me for a couple of nights until they threatened her with their guns and to beat her up if she didn't leave. They used all of our heat leaving us in a cold house with no food and not paying for any utilities or food. At all times they would leave someone there that was apart

DATE / TIME: 13:0 hr. on NOV 18, 2021 SIGNED: [redacted]
STATE OF VERMONT BENNINGTON COUNTY, SS
At Bennington in said county this 18 of NOV, 2021
personally appeared [redacted] and made oath that the foregoing statement of them, subscribed is true to the best of their knowledge and belief.
Before Me [Signature] Notary Public

MB's story

Sections 2 and 3

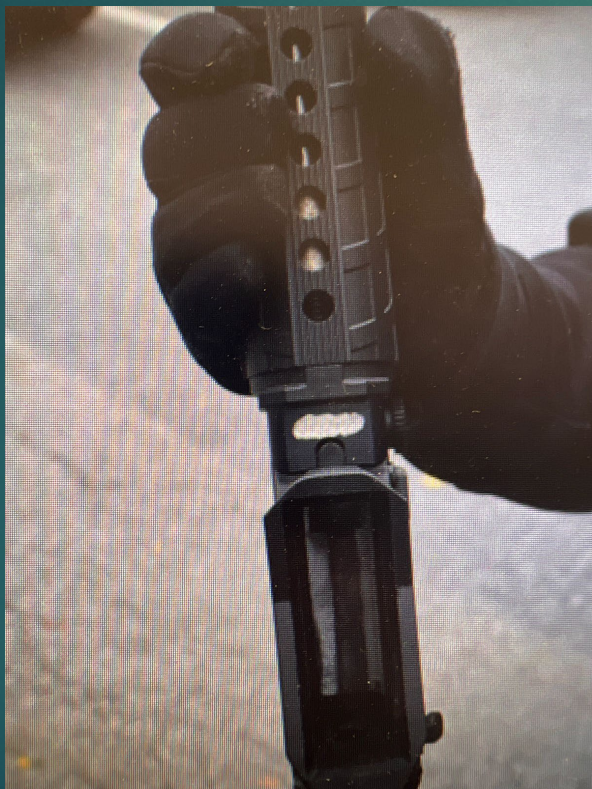
- ▶ What S.4, Section 2 addresses is criminal negligence
- ▶ Landlords have other tools besides eviction
 - ▶ Security cameras, property managers, lease provisions, law enforcement reports
- ▶ A person who does not have cause to know despite making reasonable efforts to ensure a safe property is not acting recklessly
- ▶ A landlord who ignores their properties to avoid responsibility or ignores information that should cause one to act is negligent, not an innocent third party
- ▶ The concerns you have heard can be addressed by including affirmative defenses
- ▶ Our experience-546 Main Street

546 Main Street-raid number 3



Section 4

Defaced serial numbers



Are for one thing



715 Main Street



Section 5

- ▶ Straw purchasing contributes to human trafficking
- ▶ Provides an entry to contact with services
- ▶ Accessory before the fact-need not charge the purchaser

Section 6

- ▶ S.4, as passed by the Senate, includes one of the Department's key legislative initiatives, the prohibition on firearm possession for individuals subject to relief from abuse ("RFA") orders, which mirrors federal law. Prior to the legislative session all 14 State's Attorneys voted in favor of advancing this initiative and it is included in S.4, amongst the bill's other firearm-related reforms. To date, no other bill that successfully achieved crossover status includes this important RFA-firearm provision. The Department notes that gun violence often stems from domestic violence circumstances. Prohibiting a person from possessing a firearm who is already subject to a RFA has a clear nexus to firearm violence prevention. Further, Federal Law has a similar analogous code (18 USC 9229(g)). This change would allow for a meaningful change to the law which will prevent firearm violence.

Section 7

- ▶ Only allows prosecutors to request a hold without bail
 - ▶ Substantial process attaches-judge decides
 - ▶ The hunter with the rifle in his truck or the kid with a box cutter in his pocket from work are not at risk
 - ▶ Judgment not left at the door
- ▶ Our experience-Gage Street, Beech and McCall Streets, Morgan



We urge this committee to pass this important legislation as passed by the Senate.

~Thank you for you time and consideration