

# south**burlington**

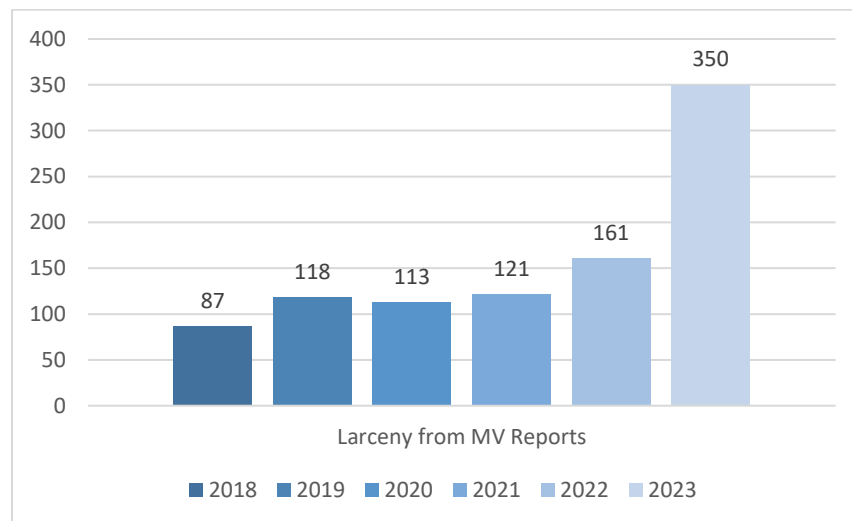
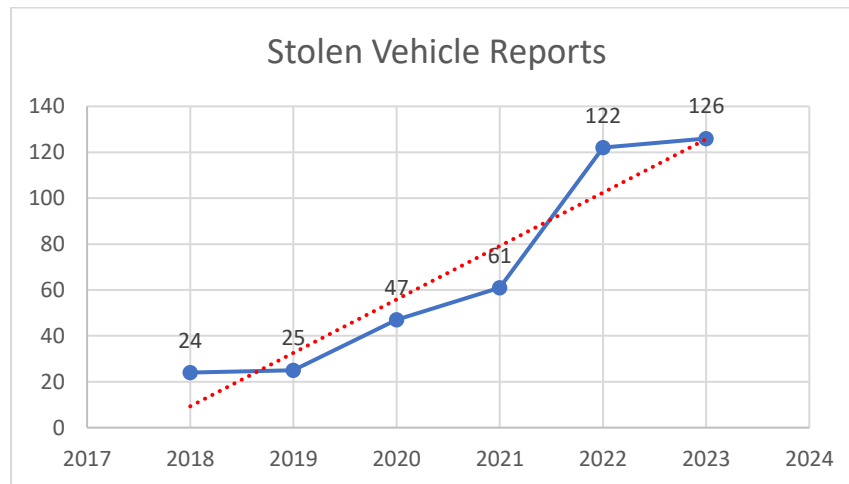
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## P O L I C E

Good morning Senators, I appreciate the opportunity to testify on H. 563. My name is Shawn Burke and I have the privilege of serving as the Chief of Police in South Burlington.

Chittenden County has been experiencing a sharp increase in both the number of reported thefts from motor vehicles and stolen cars. This property crime trend has resulted in large segments of the community experiencing harm, this harm has eroded how constituents view public safety in their neighborhoods.

The data points in South Burlington illustrate the severity of the increase seen County wide:



Many of the people responsible for these crimes are justice involved, substance dependent, impoverished, and are not in a place to address the challenges fueling their criminality. Another challenge is the lack of adequate statutory framework to address these crimes in general.

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## P O L I C E

H. 563 improves the relevant statutory framework Vermont law enforcement relies upon when investigating these crime trends:

- The proposed language in Title 13 VSA §2501 provides clear statutory guidance for attempts made to steal a motor vehicle. Law enforcement does encounter persons in the act at times, the addition of this language makes clear which statute is applicable.
- The proposed language to Title 13 VSA §3705 closes a loop hole suspects use when law enforcement encounters them in the act of looking in cars for items to steal. Despite how reasonable it is to assume that a person prowling through parked cars in a neighborhood is committing a crime, that is often not the case. Many of these suspects are released on scene absent finding the suspect with stolen property on their person or making an admission against their own penal interest, the proposed change in the bill provides greater clarity.
- The most critical piece of the proposed language is the addition of a “knew or should have known standard”. Constituents are simply baffled to learn that a person they don’t know, can enter or operate their car without their consent, and not be held accountable.
- The existing statutory language of Title 23 VSA §1094 was thoughtfully constructed to differentiate between the act of a joy ride and depriving a person of their car. The current knowingly standard is being exploited by those involved in vehicle theft, simply telling investigating officers that they were lent or given the stolen car by someone who is not the registered owner. Without being able to link the apprehended person with the theft of the car, the knowingly standard is difficult to prove and nearly impossible to explain to the crime victim.
- A majority of the cars stolen are recovered; having been used in other crimes, left soiled with drug paraphernalia and filled with stolen property, and sometimes extensively damaged. The harm that car owners experience is wide-ranging; fear of fentanyl exposure, fear of exposure to blood born pathogens, and the financial burden of restoring their car following recovery – this is often overwhelming for many and cost prohibitive for some.

A more effective criminal justice intervention is needed to both hold the offenders accountable and restore crime victims in a meaningful way, H. 563 is an improvement in this regard.