

June 16, 2023

Dear Vermont Legislators:

We would like to provide an explanation why S. 6 is not ready to become law and the Legislature should not override the Governor's veto of this bill. S. 6 undermines the use of "targeted deception" in investigations of sexual assaults on campus, among other crimes. Targeted deception is a tool used with suspects in the 18–21-year-old age category to elicit truthful reactions about the suspect's own culpability, helping to identify victims and stop perpetrators of sexual and physical violence. This bill does not support community and victim safety, while taking away a tool to address child exploitation and sexual assaults.<sup>1</sup>

S. 6 goes further than any other state law by making it extraordinarily difficult to admit into evidence truthful statements made by individuals under age 22 elicited by the technique of targeted deception. This restriction will inhibit the apprehension of college-age sexual offenders and assistance for victims. The Commander of the [Internet Crimes Against Children Task Force](#) testified that "the removal of targeted deception will mean that victims previously unknown to law enforcement will not be identified and will, therefore, not receive the supports, services, and interventions they need."

Moreover, this bill purports to address false confessions, but witnesses identified none in Vermont. Furthermore, no witness identified a problem with the application of Vermont's existing constitutional safeguards for suspect interviews. Meanwhile, sexual violence and child exploitation are growing problems in this state, challenging the limited resources of our communities.

We are open to a well-constructed bill like other state laws on this topic. No other law in the country affects the 18–21-year-old age category covered by S. 6. The Vermont Attorney General's Office [advocated](#) for "completely eliminating the age range of 18 to 21 from the bill." We share this position. This age category should be removed from S. 6.

As such, more work is needed on S. 6 to protect the interests of victims.

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<sup>1</sup> For an example of how the technique of targeted deception resulted in a truthful confession to aggravated sexual assault of an 11-year-old child in Vermont, see *State v. Kolts*, [2018 VT 131](#), ¶¶ 6-12.

Sincerely,

**Vermont Children Advocacy Centers**

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