



VERMONT CHILDRENS ALLIANCE

PO Box 543, Bennington, Vermont 05201 ~ www.vtchildrensalliance.org

An open letter from the Vermont Children's Alliance and the Child Advocacy Centers of Vermont:

We do not support S.285 as it is currently written. There are issues that will hinder law enforcement from carrying out justice and will place an undue burden on the justice system in its entirety, not to mention impede victims' healing and recovery process.

Vermont already has means of suppressing confessions that are considered questionable or involuntary. Further, the insinuation that Vermont needs this bill to become law, to protect alleged perpetrators, seems to be born of a problem that is not inherent to Vermont. While supporters of this bill state many national statistics, those statistics do not translate to Vermont's population nor their confessions and exonerations. Conversations with law enforcement across the state indicate confessions are very rare as most people (of any age) invoke attorneys, their right to deny an interview, or simply deny allegations.

This bill proposes to remove a valuable tool that law enforcement uses when engaging with students, young adults, and adults of all ages - misrepresentation of information or evidence and deception. While the scale of this tool varies greatly ("I know you were vaping, I saw you", versus, "I know you strangled your wife, the neighbor saw you"), the tool is helpful in furthering dialogue between officers and civilians. Vermont's officers typically offer reduced consequences, as is their discretionary right, in exchange for most serious crimes/information. It is also unclear how this bill may affect undercover operations for sex offenders and narcotics because an officer pretending to be someone else, or to not be police, is deceptive and would violate this bill. Further, the gray area of what officers can and cannot say would be much too large to be reasonably managed. Simply put, they would be limited to asking, "Did you do this?" without any compassion, connection, curious questions or learning anything further.

Of important note, although the bill suggests training and education occur to provide officers with new, effective, and honest interview tools, the bill indicates that training and education is to occur within two years of officers being stripped of their current tools. We would urge implementing the mandates for training and education, and then follow with the eradication of the old ways.

There are many contradictory issues in this bill, as it's written, for which we would request clarity. Aside from the undercover issue, how does the custodial element apply to school resource officers?

Beyond all of this, there is much to consider regarding how this bill contradicts other standing laws (even those passed as recently as March of 2023) as well as other proposed bills. It is unclear, inconsistent, and that it penalizes the ones doing the work to keep our communities and Vermonters safe, is radically unfair. If we want to reform the way the police officers do their work, we must first offer them the support and resources to do so. To do this in reverse is to cripple their work force and to insult and betray the victims of Vermont.