Vermont Children's Alliance
Every Child, Every Time
Support and Advocacy for Vermont's Child Advocacy Centers

January 6, 2026

Re: Support for H.5 — Hearsay Exception for Children Under 16 Years of Age

Dear Chair and Members of the Committee:

We write in strong support of H.5, an act relating to a hearsay exception for children under 16 years of age.

The Vermont Children's Alliance supports Vermont's 13 Child Advocacy Centers (CACs) through statewide training, coordination, and advocacy. This letter reflects the collective experience of CAC professionals across the state who work daily with children involved in abuse investigations and court proceedings.

From that experience, one reality is consistently clear: the current age-based distinction in Vermont's hearsay statute does not reflect how trauma affects children. A child's ability to disclose abuse, remember events, or withstand the pressures of court does not fundamentally change at age 16. Adolescents ages 13 to 15 remain developmentally and emotionally vulnerable, particularly when abuse involves a trusted adult, family member, or caregiver.

CACs regularly see that a child's initial forensic interview, conducted by trained professionals using evidence-based practices, is often the most complete, coherent, and developmentally appropriate account the child is able to provide. Requiring youth ages 13 to 15 to later repeat that disclosure in open court, often long after the abuse occurred, places an extraordinary and unnecessary burden on them. Trauma, fear of retaliation, loyalty conflicts, shame, and normal adolescent development can all interfere with a youth's ability or willingness to testify, even when their earlier statements were credible and reliable.

When the law prevents those statements from being heard, cases may fail not because abuse did not occur, but because the legal framework does not align with developmental science or the realities of trauma. The result is unequal treatment of similarly situated children and missed opportunities for accountability and protection.

H.5 offers a measured, commonsense correction. Extending the hearsay exception to children under 16 recognizes what professionals across Vermont already know: adolescents are still children, and the justice system should not rely on arbitrary age thresholds that lack a developmental or clinical basis.

Thank you for your consideration and continued commitment to Vermont's children.

Respectfully submitted on behalf of Vermont's 13 Child Advocacy Centers,

Patti Randall
Executive Director