



January 5th, 2026

Dear Members of the House Judiciary Committee,

KidSafe Collaborative respectfully submits this statement in strong support of H.5, an act relating to a hearsay exception for a child under 16 years of age.

KidSafe Collaborative's mission is to ensure the safety and well-being of children through coordinated, evidence-informed, and trauma-responsive systems. Our work is rooted in the understanding that protecting children is a shared responsibility, one that extends beyond families and service providers to include the legal and legislative frameworks that shape how children are seen, heard, and protected.

H.5 is consistent with this mission. By extending the existing hearsay exception to include children ages 13 to 15 who are victims of abuse, the bill aligns Vermont statute with what decades of child development research and brain science tell us about adolescents. While youth in this age group may appear more mature, they remain developmentally vulnerable, particularly in the context of trauma, abuse, and power imbalances with adults. Expecting these children to navigate legal processes designed primarily for adults, without appropriate statutory accommodation risks further harm and undermines the pursuit of justice.

H.5 recognizes that developmental capacity, trauma response, and credibility are not determined by an arbitrary age cutoff. The bill preserves important safeguards by requiring judicial findings of trustworthiness, availability for testimony, and appropriate timing of statements. In doing so, it balances the rights of defendants with the need to ensure that children who have experienced abuse are not silenced by procedural barriers that fail to reflect their developmental reality.

Importantly, this is a change that only the Legislature can make. Courts, service providers, and child-serving systems operate within the boundaries set by statute. When statutes lag behind scientific understanding, children bear the consequences. Acting on H.5 is a clear opportunity for the Legislature to fulfill its role in protecting children by ensuring that Vermont's legal framework reflects current knowledge, best practices, and the lived experiences of youth.

KidSafe Collaborative urges the House Judiciary Committee to advance H.5 and supports its passage. Doing so affirms Vermont's commitment to child safety, fairness, and evidence-informed policymaking, and strengthens the systems intended to protect some of our most vulnerable community members.

Respectfully submitted,

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