



STATE OF VERMONT
SENATE CHAMBER
STATE HOUSE

Opening Statement Senator Dick Sears 8/7/08

The horrific circumstances surrounding the tragic death of Brooke Bennett have shocked and angered Vermonters. Since the announcement by authorities that implicated her uncle, Michael Jacques, a convicted sex offender and her former stepfather, in her kidnapping and disappearance, the issue of how Vermont deals with sex offenders has come under fire from many quarters.

Vermonters are concerned because all too frequently we learn of an adult who has committed unspeakable crimes against a child. While it is true that Vermont remains one of the safest states in the nation, there were 322 cases of child sexual abuse in 2007 according to a recent report from the Vermont Department for Children and Families.

The anger and outrage that we hear from our constituents and others is, in my view, a frustration that the judiciary, the corrections department and ultimately the state and the community failed, over a 30-year period, to protect Brooke Bennett and Jacques's other victims. That is why Senate President Pro Tempore Peter Shumlin has given the Senate Judiciary Committee the responsibility to conduct a thoughtful review of the state's response to Michael Jacques since he first came into contact with Vermont authorities. Additionally the committee is asked to review Vermont's sex offender laws, which were strengthened between 2004 and 2007, and how those laws would have affected Jacques' 1993 sentence had he been sentenced under the new laws. The committee is also charged with recommending changes to Vermont law and practices, going forward. In other words we ought to find out what went wrong before we develop a solution.

Many of the subjects that we will be discussing will make us all very uncomfortable, such as how does Vermont deal with cases of incest. The sad truth is that child sexual abuse is a national problem. Estimates indicate that 1 in 7 boys and 1 in 4 girls have had some experience with sexual abuse. Vermont statistics indicate that in over 95% of the cases, the sexual abuse is committed not by a stranger, but by someone the child knows and should be able to trust. Therefore it is important that the committee fashion its response both in terms of new laws and prevention programs based on those facts.

Realistically we know that no criminal statute will stop family violence. This week in Vermont we heard of a 14-year-old charged with killing his mother in Wells, a Springfield man charged with inflicting life-threatening injuries upon his 8-week-old daughter, and a 52-year-old Bradford man that police say sexually assaulted an underage female relative.

I expect that the committee will use the same process that worked so well during our work on domestic violence during the last biennium. That process allowed us to seek information from experts in the field as well as from a broad cross-section of the public. Toward that end, the committee will hold at least four public hearings. The first will be held at the State House in Montpelier on August 28th.

I would hope that candidates for public office would respect our process and avoid making these hearings a campaign stop.

While we may have disagreements along the way, most Vermonters and I remain committed to continuing to improve Vermont's response to child sexual abuse and sex offenders and to recommend and make needed changes so that Vermont will remain one of the safest states in the union.

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