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ATTORNEY GENERAL**

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**STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
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June 13, 2023

Dear Constituent:

Thank you for your thoughtful letter concerning a criminally charged police use-of-force incident that took place in Newfane last summer. In that matter, my office reviewed the investigative file presented by the Vermont State Police to identify whether the use of force by officers that night was justified and, if it was not justified, to determine whether criminal charges were appropriate. Along with my office's review, the Orleans County State's Attorney's Office also conducted an independent review of this incident and came to the same conclusion that criminal charges were appropriate. This is always a difficult decision for prosecutors for many reasons, including those that you articulate in your letter. Vermont State Police do critical work, protecting and serving Vermont, and the specific actions of two officers on a particular night is not meant to be a condemnation of the Vermont State Police or any other law enforcement agency in this state as a whole. I am proud to represent the Vermont State Police as part of my duties as Attorney General.

The Legislature determines the standards for when police use of force is justified and what constitutes a crime. Police use of force is only justified when it is objectively reasonable and necessary to defend against an imminent threat of death or serious bodily injury to the officer or to another person.

I believe with my whole heart in the good work law enforcement officers do in our communities every day here in Vermont. But, as Attorney General, I am responsible for applying the statutes and bringing charges when appropriate. The decision to bring criminal charges against any officer in the line of duty is only made after a careful and detailed review of the totality of the circumstances. Thankfully, officer actions in our state rarely require a criminal response but, in the instances they do, I am committed to the judicial process and ensuring that all the evidence is heard in a fair trial.

Thank you again for sharing your thoughts on this matter. Even though we may not always agree, I appreciate your taking the time to share your thoughts and perspective with me on this very important issue.

Sincerely,

A handwritten signature in blue ink, reading "Charity R. Clark". The signature is written in a cursive, flowing style. The first name "Charity" is written in a larger, more prominent script, followed by "R." and "Clark". The signature is contained within a light gray rectangular box.

Charity R. Clark
Attorney General