



**State of Vermont
State Police Advisory Commission
Department of Public Safety
103 South Main Street
Waterbury, VT 05671-2101**

Nancy Goss Sheahan, Chair
Hon. Thomas M. Crowley, Vice Chair
Shirley Jefferson
Ugo Sartorelli
Aimee Stearns
Leo D. Willey
Laura M. Williams

The State Police Advisory Commission (SPAC) is a statutorily created body appointed by the Governor. One of the duties of SPAC is to provide advice and counsel to the Commissioner of Public Safety regarding internal investigations and discipline. In that role, SPAC has reviewed the internal investigation conducted in response to an allegation that Trooper Jared Hatch violated the Vermont State Police Bias Free Policy when he detained two illegal immigrants during a motor vehicle stop on September 13, 2011. SPAC has also examined Trooper Hatch's actions to determine whether there was a violation of related policies concerning investigative motor vehicle stops and victim's assistance.

After giving due consideration to information gathered in the course of the investigation, SPAC has reached the following conclusions:

1. Trooper Hatch had probable cause to believe that a motor vehicle violation – excessive speed – had occurred and therefore his stop of the vehicle was lawful. Additionally, the decision to stop the vehicle was not motivated by the passengers' actual or perceived race, color or national origin because the occupants of the vehicle were not visible to Trooper Hatch at the time that he initiated the stop.
2. Trooper Hatch was both courteous and expeditious in his handling of the motor vehicle stop.
3. During the stop Trooper Hatch made observations which, based upon his extensive training particularly in the area of drug interdiction, alerted him to the possibility that persons within the vehicle were engaged in criminal conduct. These observations included excessive nervousness and inconsistent answers on the part of the passengers as well as failure to make eye contact.
4. Trooper Hatch's questioning of the passengers was not motivated by the passengers' actual or perceived race, color or national origin. The questioning by Trooper Hatch was consistent with the approach he has utilized in other stops irrespective of race, color or national origin and was in keeping with training that he has received as a law enforcement officer.

5. The passengers did not constitute crime victims or witnesses under Vermont State Police policy and therefore it was not improper for Trooper Hatch to ask about immigration status or to report the immigration status of the passengers to the appropriate authorities.

Based upon the foregoing conclusions, SPAC is of the opinion that the actions of Trooper Hatch were free of improper bias and in compliance with all applicable policies.