

**STATE OF VERMONT
VERMONT CRIMINAL JUSTICE COUNCIL**

In re: Aaron Cochran

)
)
)

VCJC Docket No. PRS 202051M

STIPULATION AND CONSENT ORDER

NOW COME the State of Vermont and Aaron Cochran, and agree and stipulate as follows:

1. Aaron Cochran ("Respondent") of Hardwick, Vermont holds a Level III Vermont Law Enforcement Officer Certification issued by the Vermont Criminal Justice Council on May 28, 2004. Respondent retired from law enforcement on or about ~~January 05, 2024.~~ *June 30, 2023* *AKC*

2. Jurisdiction in this matter vests with the Vermont Criminal Justice Council ("Council") pursuant to 20 V.S.A. §§ 2351, 2401-2411, 3 V.S.A. §§ 809-814 and other authority.

3. Respondent acknowledges that he voluntarily enters this Stipulation and Consent Order. He further acknowledges that he had the advice of counsel or the opportunity to seek advice regarding the matter before the Council and in reviewing this Stipulation and Consent Order. He agrees and understands that, by exercising this document, he is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Council in this matter, to be presented with the evidence against him, to cross-examine adverse witnesses, and to offer evidence of his own to contest any of the State's allegations or findings. 20 V.S.A. § 2405; 3 V.S.A. §§ 809, 814.

Findings of Fact

4. Council staff received an unprofessional conduct complaint in this matter against Respondent on or about January 18, 2022.

5. A valid internal investigation was completed by a neighboring agency due to the Respondent being the agency head at the time of the complaint.

6. The Council Professional Regulation Subcommittee ("Subcommittee") reviewed and processed the complaint pursuant to 20 VS.A. Chapter 151, Subchapter 2.

7. The Subcommittee determined that the facts established by the investigation of the complaint supported a finding of unprofessional conduct and, by vote October 05, 2023, concluded in relevant part that Respondent had engaged in Category C conduct.

8. Based on the Subcommittee's determination, the State specifically alleges that, Respondent intentionally failed to conduct a valid investigation involving a subordinate's mishandling of evidence. 20 V.S.A. § 2401(3)(G). Respondent failed to conduct a prompt and thorough investigation at the time of the complaint. Respondent's internal investigation report was written approximately five months after the incident, and only done so after the Town Manager of Hardwick and the State's Attorney of Caledonia County made inquiries about the investigation. Respondent stated that the investigation was "completed" months prior even though he had not accessed the case file until five months after the incident and had not interviewed any witnesses. At the time that the investigation report was drafted some witnesses were no longer available to interview. The sub-standard investigation by Respondent and the conclusion that his subordinate was exonerated due to a policy failure indict an attempt to cover up and/or minimize the subordinate's misconduct.

Conclusions of Law

9. Vermont law sets forth three categories of law enforcement officer unprofessional conduct: Category A, Category B and Category C. *See* 20 V.S.A. § 2401(1)-(3) (categories defined).

10. As relevant to this matter, Category C conduct is “any allegation of misconduct pertaining to Council processes or operations, including:... (G) intentional failure to conduct a valid investigation or file a report as required by this subchapter.” 20 V.S.A. § 2401(3)(G). An investigation will be considered invalid if an agency attempts to cover up misconduct. *See* 20 V.S.A. § 2401(6)(iv) In that, Respondent attempted to cover up the misconduct of a subordinate.

11. The State alleges that Respondent engaged in Category C conduct by virtue of Respondent attempting to cover up the misconduct of a subordinate by failing to conduct a prompt and thorough investigation and by doing so, invalidating the subsequent internal investigation. *See* 20 V.S.A. § 2401(6)(iv).

12. Respondent acknowledges that if this matter were to proceed to a contested hearing, the State could prove that Respondent engaged in prohibited Category C conduct. *See* 20 V.S.A. § 2401(1)(B)

13. Consistent with Respondent’s cooperation with the Council, Respondent acknowledges that if the State satisfies its burden at a hearing, then the Council may enter an adverse finding against Respondent pursuant to 20 V.S.A. §§ 2401, 2405-2407 and 3 V.S.A. § 812.

14. In the interest of resolving this matter, the Respondent and the State agree to enter

this Stipulation and Consent Order, in lieu of proceeding to hearing.

15. The Council adopts as its facts and conclusions in this matter Paragraphs 1 through 8 above and Respondent agrees that this is an adequate basis for the Council actions set forth herein. Any representation by Respondent herein is made solely for the purposes set forth in this agreement.

16. Therefore, in the interest of Respondent's desire to fully and finally resolve the matter presently before the Council, Respondent has determined that Respondent shall enter into this agreement with the Council. Respondent enters no further admissions here, but to resolve this matter without further time, expense, and uncertainty Respondent has concluded that this agreement is acceptable and in the best interest of the parties.

17. Respondent agrees and understands that by executing this document Respondent is waiving any right to challenge the jurisdiction and continuing jurisdiction of the Council in this matter, to be presented with a specification of charges and evidence, to cross-examine witnesses, to offer evidence of his own to contest any allegations by the State or to appeal from this Stipulation and Consent Order.

18. Respondent is not under the influence of any drugs or alcohol at the time he signs this Stipulation and Consent Order

19. The parties agree that upon the Council's acceptance of this Stipulation and Consent Order, and pursuant to the terms herein, the above-captioned matter shall be resolved by the Council. Thereafter, the Council will take no further action as to this matter absent non-compliance with the terms and conditions of this document by Respondent.

20. This Stipulation and Consent Order is conditioned upon its acceptance by the

Council. If the Council rejects any part of this document, the entire agreement shall be considered void. Respondent agrees that if the Council does not accept this agreement in its

current form, Respondent shall not assert in any subsequent proceeding any claim of prejudice from any such prior consideration. If the Council rejects any part of this agreement, none of its terms shall bind Respondent or constitute an admission of any of the facts of the alleged misconduct, it shall not be used against Respondent in any way, it shall be kept in strict confidence, and it shall be without prejudice to any future unprofessional conduct disciplinary proceeding and the Council's final determination of any charge against Respondent.

21. Respondent acknowledges and understands that this Stipulation and Consent Order shall be a matter of public record, shall be entered in his permanent Council file, and shall constitute an enforceable legal agreement. In exchange for the actions by the Council, as set forth herein, Respondent expressly agrees to be bound by all terms and conditions of this Stipulation and Consent Order.

22. The parties therefore jointly agree that should the terms and conditions of this Stipulation and Consent Order be deemed acceptable by the Council, it may enter an order implementing the terms and conditions herein.

Order

WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, and on the basis of the consent of Respondent, it is hereby ORDERED that:

1. Respondent will receive a written warning from the Council. The written warning will include required training. The required training must be completed prior to returning to employment in law enforcement. Respondent understands that failure to complete the Council's required training may result in further unprofessional conduct proceedings.

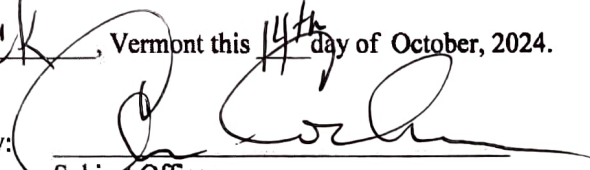
2. Respondent shall provide a complete copy of this Stipulation and Consent Order to any prospective Vermont law enforcement agency to which he makes application for

employment, as well as to any state regulatory body or other certification authority related to law enforcement officers in any location or jurisdiction where he may apply for law enforcement officer employment, for so long as this Stipulation and Consent Order remains in effect.

3. Respondent shall bear all costs of complying with the terms and conditions of this Stipulation and Consent Order.

4. Respondent agrees to be bound by all terms and conditions of this Stipulation and Consent Order.

DATED at Hardwick, Vermont this 14th day of October, 2024.

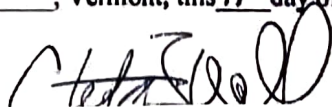
By: 
Subject Officer
Respondent

Approved as to Legal Form:

DATED at _____, Vermont, this ____ day of October, 2024.

By: Pietro Lynn, Esq.
Counsel for Respondent

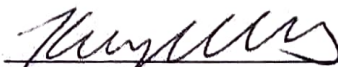
DATED at Pittsford, Vermont, this 11th day of October, 2024.

By: 

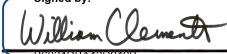
~~Christopher Brickell~~
Acting Executive Director
Vermont Criminal Justice Council

Approved as to Legal Form:

DATED at Pittsford, Vermont this 11th day of October, 2024.

By: 
Kim McManus
Associate General Counsel
Vermont Criminal Justice Council

**AS TO *IN RE*: Aaron Cochran, VCJC Docket No. PRS 202051M:
APPROVED AND ORDERED
VERMONT CRIMINAL JUSTICE COUNCIL**

Signed by:

B8024D3A42D849B...

william clements

DATED: 10/15/2024

ENTERED AND EFFECTIVE: 10/15/2024
