

Criminal Justice Council
Vermont Police Academy
317 Academy Road
Pittsford, VT 05763
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AMENDED NOTICE OF HEARING

RE: Hearing to consider imposition of sanctions, up to an including permanent revocation, against the Vermont law enforcement officer certification held by Aaron Cochran of Hardwick, Vermont.

Please take notice that pursuant to the authority vested in the Vermont Criminal Justice Council under 20 V.S.A. §§ 2401, 2405 and 2406 a hearing will be held before the Council **at the Vermont Police Academy, 317 Academy Road, Pittsford, Vermont 05763 [OR remotely via Microsoft Teams] on October 15, 2024, at 9:00 AM.**

The hearing will be held as a formal contested case hearing under the Vermont Administrative Procedure Act and will be held to consider the imposition of sanctions, up to an including permanent revocation, against the Vermont law enforcement officer certification held by Aaron Cochran for alleged unprofessional conduct pursuant to 20 V.S.A. § 2401(3), (5) (Category C conduct deemed unprofessional conduct), 20 V.S.A. § 2404(c) (Council investigation) and 20 V.S.A. § 2406(a) (permitted Council sanctions), which are set forth and specified below.

20 V.S.A. § 2401(3) provides:

“Category C conduct” means any allegation of misconduct pertaining to Council processes or operations, including:

- (A) intentionally exceeding the scope of practice for an officer’s certification level;
- (B) knowingly making material false statements or reports to the Council;
- (C) falsification of Council documents;
- (D) intentional interference with Council investigations, including intimidation of witnesses or misrepresentations of material facts;
- (E) material false statements about certification status to a law enforcement agency;
- (F) knowing employment of an individual in a position or for duties for which the individual lacks proper certification;
- (G) intentional failure to conduct a valid investigation or file a report as required by this subchapter; or
- (H) failure to complete annual in-service training requirements.



20 V.S.A. § 2401(6)(A) and (B)

(A) “Valid investigation” means an investigation conducted pursuant to a law enforcement agency’s established or accepted procedure.

(B) An investigation shall not be valid if:

- (i) the agency has not adopted an effective internal affairs program;
- (ii) the agency refuses, without any legitimate basis, to conduct an investigation;
- (iii) the agency intentionally did not report allegations to the Council as required;
- (iv) the agency attempts to cover up the misconduct or takes an action intended to discourage or intimidate a complainant; or
- (v) the agency's executive officer is the officer accused of misconduct.

20 V.S.A. § 2401(5) provides:

“Unprofessional conduct” means Category A, B, or C conduct.

20 V.S.A. § 2404(c) provides:

The Council shall investigate allegations of Category C conduct.

20 V.S.A. § 2406(a) provides:

Generally. The Council may impose any of the following sanctions on a law enforcement officer's certification upon its finding that a law enforcement officer committed unprofessional conduct:

- (1) written warning;
- (2) suspension, but to run concurrently with the length and time of any suspension imposed by a law enforcement agency with an effective internal affairs program, which shall amount to suspension for time already served if an officer has already served a suspension imposed by his or her agency with such a program;
- (3) revocation, with the option of recertification at the discretion of the Council; or
- (4) permanent revocation.

It is alleged that Aaron Cochran engaged in category C conduct when he intentionally failed to conduct a valid investigation in violation of the above identified authority. Specifically, it is alleged:

PRS Docket No. 202051M (Category C)

1. Aaron Cochran (referred to herein as “Chief Cochran”) was employed as Chief of Police for the Hardwick Police Department from August 03, 2014 to October 07, 2022. He resigned from Hardwick Police Department on October 07, 2022. He worked briefly for Northfield Police Department as a Sergeant between October 17, 2022 and June 30, 2023. Chief Cochran, at the time of this Notice, is not currently employed with a law enforcement agency in Vermont.
2. Chief Cochran holds a Level III Vermont Law Enforcement Officer Certification which he received on May 28, 2004.
3. In May of 2022, the Town of Hardwick requested assistance from the Town of Williston to conduct an internal affairs investigation into the conduct of Hardwick’s Police Chief. Primarily, the Town of Hardwick was concerned that Chief Cochran may have lied about an internal investigation involving Officer X¹.
4. Lt. Joshua Moore of the Williston Police Department was assigned to the internal investigation of Chief Cochran.
5. Lt. Moore was familiar with the underlying internal investigation as he had been previously asked to review and examine Chief Cochran’s internal investigation findings regarding Officer X.
6. Lt. Moore’s investigation into Chief Cochran’s actions regarding the internal investigation of Officer X revealed the following:
 - a. On March 31, 2021, Officer X and Officer Lucas Marcoux responded to a call concerning a group of juveniles under a bridge in the town of Hardwick. The officers interacted with three juveniles and collected alcohol and drugs from the scene. The juveniles ranged in age from 15-18 years old.
 - b. The evidence or property from this incident was logged into the Property information system in Valcour under two dates: the drugs were entered on April

¹ The officer is identified pseudonymously to protect the officer’s identity, as required by 20 V.S.A. § 2409.

- 1, 2021 by Detective Kevin Lehoe, the alcohol, a bottle of Crown Royal Whiskey, was entered into the system on May 12, 2021 by Officer X.
- c. On May 11, 2021, Detective Kevin Lehoe, as the appointed Evidence Officer for the department, filed a complaint with Chief Cochran citing concerns that Officer X did not properly admit the bottle of Crown Royal into evidence nor properly destroy the property. In addition, Det. Lehoe stated that, at least days prior to the complaint being filed, he had seen the bottle of Crown Royal in Officer X's office.
 - d. In Chief Cochran's internal investigation report reviewing Officer X's conduct, Chief Cochran stated that "during that week" of receiving the complaint, he spoke with Officer X. Officer X admitted to possessing the bottle of liquor and he informed the Chief that he, Officer X, had reviewed the evidence policy with Officer Marcoux and that they decided that the policy did not address alcohol in a civil matter, so he took the bottle home. Chief Cochran informed Officer X that he wanted the contents of the bottle dumped in front of a witness and the bottle logged in under the incident properly. The Chief's internal investigation went on to state that "at a later date" Officer X destroyed the contents of the bottle and logged the bottle as requested. According to Chief Cochran's internal investigation, Chief Cochran reviewed the department's evidence policy, found that the policy lacked detail to "adequately address property of a civil nature nor did it address the logging or disposal of this property in particular." Chief Cochran exonerated Officer X due to Policy Failure.
 - e. On May 11, 2021, the same day as Det, Lehoe filed his complaint concerning Officer X, Chief Cochran changed Hardwick Police Department's Evidence and Property Management policy, with an effective date of May 11, 2021.
 - f. According to the Valcour Access Records, Officer X logged the bottle of Crown Royal into the underlying incident on May 12, 2021.
 - g. On September 30, 2021, Chief Cochran had a meeting with Mr. Upson, Hardwick's town manager, and Jessica Zaleski, Caledonia County's State's Attorney, about Officer X's mishandling of evidence. According to SA Zaleski, she asked Chief Cochran whether an internal investigation had occurred regarding

Officer X, and Chief Cochran confirmed that he had conducted the investigation with a finding of policy failure.

- h. SA Zaleski followed up with Chief Cochran on October 20, 2021 at 1329 via email and requested “any documentation as to the mishandled evidence referenced in our conversation on 9/30/21.”
- i. On October 28, 2021, Chief Cochran responded to SA Zaleski via email with the internal investigation report referenced above.
- j. Lt. Moore’s investigation revealed that Chief Cochran accessed the Valcour Access Record for the underlying incident for the first time on October 20, 2021 at 1414. The Valcour Access Record indicates that the date entry of October 20, 2021 is the only day that Chief Cochran accessed the underlying case in which Officer X is alleged to have mishandled evidence.
- k. Lt. Moore conducted an advanced search of the internal investigation for Officer X on Chief Cochran’s computer at the Hardwick Police Department. The internal investigation report creation date was October 21, 2021, the day after SA Zaleski requested written documentation for the “mishandled evidence” and approximately five months after the initial complaint concerning Officer X was filed with Chief Cochran.
- l. When interviewed about this matter, Chief Cochran stated that he had completed his internal investigation immediately prior to changing the evidence and property policy on May 11, 2021.
- m. However, in the internal investigation report written in October of 2021, Chief Cochran explains that he was unable to interview Officer Marcoux because Officer Marcoux was on military leave. Lt. Moore’s investigation revealed that Officer Marcoux’s last shift with Hardwick Police Department was on July 7, 2021. Officer Marcoux was not on leave at the time that Chief Cochran purportedly conducted his internal investigation in May of 2021, and he was arguably available to be interviewed as a witness in May of 2021.
- n. Chief Cochran’s internal investigation into Officer X’s behavior reveals that he did not interview any officers who may have had relevant information as to the

mishandling of evidence. Chief Cochran had a conversation with the subject officer, Officer X, but no one else.

7. The Hardwick Police Department's Internal Affairs Policy at the time of Chief Cochran's Internal Investigation of Officer X states that the purpose of the policy is "to ensure the integrity of the Hardwick Police members by establishing an effective internal affairs program and to ensure prompt and thorough investigation of alleged or suspected misconduct."
8. Chief Cochran's internal investigation conducted on May 11, 2021 was not a thorough investigation. He did not access the Valcour Record for the underlying case. He did not interview any potential witnesses. He did not provide the subject officer with a statement in writing of the allegation, nor did he review with the subject officer the rights and responsibilities of the officer relative to an internal investigation. There is no evidence that Chief Cochran conducted any further investigation into the matter between May 11, 2021 and October 21, 2021, the date of the creation of his written internal investigation report.
9. The facts and circumstances of Chief Cochran's conduct regarding his internal investigation of Officer X will be presented in full to the Council as a Category C, unprofessional conduct violation pursuant to 20 V.S.A. § 2401(3)(G), an intentional failure to engage in a valid investigation.

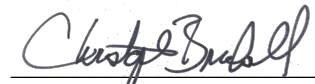
The Council shall determine whether such alleged violation(s) occurred as specified herein.

The hearing shall be conducted by the Council in accordance with the Vermont Administrative Procedure Act (3 V.S.A. §§ 809-816). Pursuant to 3 V.S.A. § 809(c), you shall have an opportunity by yourself or through your attorney to appear at said hearing to present evidence and argument on all issues involved in this case and bring before the Council all pertinent facts that you believe will have a bearing on the issues involved in this case.

All correspondence and documents pertaining to this matter should be sent to the Vermont Criminal Justice Council, 317 Academy Road, Pittsford, Vermont, 05763, to my attention.

Dated July 25, 2024, at Pittsford, Vermont.

Vermont Criminal Justice Council

A handwritten signature in cursive script, appearing to read "Christopher Brickell".

Acting Executive Director

Christopher Brickell