When Sam Hill became Washington County sheriff in 2004, it took some time for the municipal cop to adjust to the quirks of his new office.

“In Barre City, when someone asked if we could help, we just normally helped,” he recalled. “When I came here and someone asked for help, I would have to ask, ‘Who’s gonna pay for that?’”

Though it may sound backward for a law enforcement official to put the bottom line first, it’s a common, state-sanctioned practice among Vermont’s 14 sheriffs. They are public servants, but they also preside over quasi-private enterprises.

“Elected by residents of each county, sheriffs receive taxpayer dollars to provide certain state-mandated law enforcement services. Most of their revenue, however, comes from contracts they sign with individual state agencies, towns, schools, courts, construction companies, malls and other entities.

“I had to learn quickly how to be a businessman,” said Hill, an avuncular man with glasses and a wisp of gray in his hair. Many of Vermont’s sheriffs embrace their entrepreneurial freedom. They make the case that it saves taxpayers money because the profits they earn from extra gigs subsidize their state work.

But sheriffs also have a financial interest in this unique system. State law allows them to personally pocket a portion of the revenue they collect, which has allowed some sheriffs to almost double their base salary. Last year, Lamoille County Sheriff Roger Marcoux Jr. earned $67,951 from outside contracts, in addition to his $77,672 state salary — totaling $145,623, according to records obtained by Seven Days.

Those documents — including budgets, contracts, salary figures and personnel lists from every sheriff in the state — shed light on a county law enforcement system that is little understood by residents and lawmakers alike. The records suggest that Vermont’s largely autonomous sheriff’s departments lack oversight and are vulnerable to self-dealing, double-dipping and nepotism.

Though state officials are barred from hiring relatives, these county lawmen — all 14 of whom are, in fact, men — often keep it in the family. Seven Days found that 11 incumbent sheriffs have employed relatives at some point in their tenure.

And while each department must undergo an outside audit every two years, problems uncovered during these reviews sometimes go uncorrected for years.

“There’s very little transparency in the operation of the departments,” said Rep. Mary Hooper (D-Montpelier), who hastened to add, “They do very, very important work.”

“It’s a system that does not breed accountability,” said Robert Appel, an attorney and former director of the Vermont Human Rights Commission. “Last I knew, there were few, if any, external controls.”

The original sheriffs, known as “shire reeves” in medieval England, were keepers of the peace, appointed by the king and charged with collecting taxes and investigating crimes. In the late 18th century, Vermont’s framers enshrined the position in its constitution but did not define its powers.

Vermont sheriffs, who are elected to four-year terms and aren’t required to be certified law enforcement officers, used to oversee the county jails. Their role evolved after the state established a regional prison system in 1969. Instead of walking inmates across the street to the courthouse, sheriffs began chauffeuring them from prison to court.

“Back then, deputies bought all their own equipment, uniforms, weapons,” said Michael Chamberlain, who was first elected Windsor County sheriff in 1978. “There was no money. He ferried prisoners in the family car, a dark green Ford sedan.
Unlike many states, which feature powerful county governments with large budgets, Vermont’s is “a no-man’s-land,” according to Marcoux. The only other county officials are state’s attorneys, assistant judges, probate judges and high bailiffs.

The state’s counties do have a small budget, approved each year by two assistant judges, but they typically allocate only $150,000 to $500,000 to sheriffs. Though sheriffs are elected and partially funded by counties, their only legal obligations are to the state, which mandates that they transport prisoners and those with mental illnesses and serve legal papers, such as eviction notices and court summons.

The state, in turn, appropriates about $4.5 million for salaries and benefits for the sheriffs and 25 deputies. The latter positions are divvied up among the departments and are responsible for transporting those in state custody. Sheriffs’ salaries are set by state law each year. Currently, they range from $74,027 for those without full law enforcement credentials to $87,048, for the Chittenden County sheriff.

Those who know how to shake the tree, however, make significantly more.

**Side Hustle**

To supplement their public funding — and their own salaries — sheriffs often go looking for outside business.

“If it wasn’t for the contracts, I know I would have a tough time trying to maintain the operation,” Chamberlain said. “I’m sure all the sheriffs would.”

These side hustles are a longstanding tradition. Early in his career, the Windsor County sheriff recalled moonlighting as a dancehall security guard. “You might pick up a job for three to four dollars an hour,” he said. “The owner would pay you at the end of the night, often in cash.”

The practice, formalized in a 1978 law, has since grown more complex.

Chamberlain’s department had 58 contracts in fiscal year 2017. Its clients included towns that pay for patrol services, hauling companies in need of wide-load escorts and construction companies looking for traffic control. Some contracts establish an hourly rate. Some set a cap on total payment.

In a number of cases, the state itself is the customer, commissioning services above and beyond what’s expected from its annual appropriation. The Department of Mental Health paid Chamberlain’s department $217,736 in 2017, most of which went to “sit watches,” which entail staying at the hospital bedside of mental health patients.

Sheriffs also seek out grants and make money through methods that don’t require a contract, such as charging for fingerprinting services.

“They all thought I was a complete criminal!” he said.

Vermont Human Resources Commissioner Beth Fastiggi said she was “unaware of any other arrangement” in state government allowing public servants to take a cut of their earnings.

Lippert wants to know how much sheriffs make in addition to their state salaries, but, he said, “I have for quite some time been fascinated that no one appears to have those numbers.”

At his urging, Rep. Maida Townsend (D-South Burlington) said the House Government Operations Committee, which she chairs, has promised to do a “deep dive” next year into “the entire monetary package that supports the work of the sheriff’s office.”

**Seven Days** obtained the fiscal year 2017 salary information through its public records requests.

Sheriffs have different philosophies about what they’re entitled to, and why.

Hill, whose Washington County office brought in roughly $564,400 in contract revenue, only took home $12,830 — approximately 2 percent. “The money is more valuable here with the department,” he explained, noting that while his office generated $1.5 million in total revenue, including noncontract sources, it only made $33,721 in profit.

Why accept any additional compensation, then? “I take a little bit because there is a lot of extra managing [and] stress [and] work jockeying to get people to work the details.”

Hill also noted that he never takes a cut from state contracts, though the practice is legal. “I wouldn’t feel right … Each sheriff is different. We all have to live with ourselves.” The additional income, together with his $77,672 state salary, meant he made $90,502 in 2017, along with healthcare and retirement benefits totaling $30,912.

Chamberlain, of Windsor County, said he gave himself the full 5 percent of every contract, for a total of $67,325 in additional income, because his office is in good financial shape. “If my department needs the money to operate [in the future], the department is gonna come first. Mike Chamberlain is gonna come second.” He made $144,997 in total and received $36,275 in benefits.

Marcoux, the Lamoille County sheriff, kept $67,951 in contract revenue, though he was entitled to $120,562, had he accepted the full 5 percent. His combined earnings amounted to $145,623, plus $42,676 in benefits.

“I know mine is significant if you look at it,” he said. “But I kind of keep an eye...
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on what people at the senior level of the Vermont State Police are getting, and I’m less than some of their top people.”

In fact, the head of the State Police, Col. Matthew Birmingham, makes $144,026, plus $31,251 in benefits.

Orange County Sheriff Bill Bohnyak forgoes the 5 percent entirely but supplements his state salary in another way. “The only money I take from my office is when I work overtime,” he explained. The sheriff estimated that he logs 60 hours a week performing his state duties. Amid that grueling schedule, he still found time to work 555 hours in 2017 — another 11 months worth — making $39.30 an hour.

“Can I ask you a question?” he said to a reporter. “Why would anyone make an issue of this?”

Franklin County is one of several sheriff’s departments that get federal money to patrol the Canadian border as part of Operation Stonegarden, a U.S. Department of Homeland Security program.

Norris himself spent 300 hours doing this work in 2017, making $39.30 an hour. “It’s nothing more than another set of eyes and ears along the border,” he said, explaining that he and his deputies help “control the influx of drugs, guns, criminal activity, transnational criminal activity.”

The American Civil Liberties Union of Vermont has raised concerns about the program, arguing that local law enforcement should play no role in federal immigration matters.

The state passed legislation last year — in response to concerns about a crackdown on undocumented immigrants under President Donald Trump — that bars state and local police from enforcing federal immigration laws. But the law does nothing to restrict programs such as Operation Stonegarden. While Norris insisted that he personally doesn’t enforce immigration laws, he will refer cases to the feds.

“If they entered the country illegally, I’ll contact Border Patrol,” he said.

**Breaking Even**

By forcing sheriffs to chase profits, the state seems to be inadvertently encouraging them to prioritize private contracts, which tend to be more lucrative, over those with state and local governments.

In 2016, Sheriff Keith Clark of Windham dropped a contract to provide court security because, he said, “I was losing a lot of money.”

“It’s not that I didn’t want to do it. I just could not find a way to do it in a way we could afford,” Clark continued. “I would have been happy to just break even.”

The courts in Windham County now rely on a private security firm. Without substantial rate increases, Orange County’s Bohnyak, who is president of the Vermont Sheriffs’ Association, said it’s likely that other departments will follow Windham’s lead.

The most profitable gigs happen to be among the easiest: Some construction companies pay sheriffs or their deputies $70 an hour to sit in their cruisers, blue lights flashing, to slow traffic.

“We all want ’em,” Hill said of the construction contracts. “We look forward to the summer months,” Clark concurred. “Construction season is where we’re able to set aside some money for the rest of the year.”

But, he observed, “It shouldn’t be that way.”

“I don’t think there’s a sheriff that wouldn’t say, ’I would be happy if the state or the county fully funded the department so I don’t have to do all these other things to make ends meet,’” said Hill, who pointed out that the government doesn’t pay for their cruisers, uniforms and other equipment.

While sheriffs sometimes complain about working with the state, they’ve also resisted severing ties.

Lawmakers have considered relieving sheriffs of one their key state duties:

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### How Much Did Vermont’s Sheriffs Make in Fiscal Year 2017?

Income totals do not include state benefits. Additional income includes overtime and income from contracts.

<table>
<thead>
<tr>
<th>County</th>
<th>Sheriff Name</th>
<th>Salary</th>
<th>Additional Income</th>
</tr>
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<tbody>
<tr>
<td>Franklin</td>
<td>Robert Norris</td>
<td>$77,672</td>
<td>$70,836</td>
</tr>
<tr>
<td>Lamoille</td>
<td>Roger Marcoux</td>
<td>$77,672</td>
<td>$67,951</td>
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<tr>
<td>Windsor</td>
<td>Michael Chamberlain</td>
<td>$77,672</td>
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<td>Chittenden</td>
<td>Kevin McLaughlin</td>
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<td>Caledonia</td>
<td>Dean Shatney</td>
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<td>Orange</td>
<td>Bill Bohnyak</td>
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<td>Bennington</td>
<td>Chad Schmidt</td>
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<td>Grand Isle</td>
<td>Ray Allen</td>
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<td>Orleans</td>
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<td>Washington</td>
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<td>Essex</td>
<td>Trevor Colby</td>
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<td>$4,392</td>
</tr>
</tbody>
</table>

transporting prisoners. Hooper, the Montpelier state rep, raised the topic during the last legislative session. She said there have been “issues” with getting inmates to court on time — or at all — because “sometimes sheriffs aren’t available to do the transports.” Noting that the state Department of Corrections also transports prisoners, Hooper asked, “Why do we have them and another system?”

Sheriffs were quick to protest, suggesting they’re the state’s cheapest, most-skilled option.

Hooper settled for the creation of a committee that is studying the issue and will make recommendations by November 1. Wholesale change is unlikely, however.

Casey LaFrance, a professor at Western Illinois University who studies county government, noted that sheriffs have significant political sway.

The sheriff, he said, “has a lot of ties to the county and a knowledge of its inner political workings.” If you’re a politician, “you ingratiate yourself with your fellow elected officials so it’s less likely they’ll have to say anything bad about you.”

**Home Turf**

Many Vermont towns that aren’t large enough to support a police force of their own choose to contract with state, county or municipal cops to provide patrols.

But for some sheriffs, towns pay barely enough to make it worth their while.

“There are times I’ve thought of just completely getting out of the town contract business,” said Clark of Windham County. “I’m not getting ahead financially.”

Towns, in turn, have periodically complained that sheriffs are unresponsive. Sheriffs contend that town officials and residents misunderstand the arrangement. Often, they’re only paid to patrol a town for a few hours each week.

Other partnerships are mutually beneficial. In 2017, the town of Bridgewater paid the Windsor County Sheriff’s Department $219,403 to patrol 76 hours a week. According to a recent Vermont Public Radio investigation, the sheriff’s department wrote at least 2,381 tickets that year — more than twice what was written in any other town. The revenue from those tickets, which is shared by the town and state, more than offset the cost of the enforcement services, according to Chamberlain, who emphasized that sheriffs “do not get one penny” of the traffic fines.

That may be technically true, but he undoubtedly benefits from the arrangement. Five percent of his Bridgewater contract amounts to nearly $11,000, which Chamberlain himself pockets.

From time to time, sheriffs have clashed with other law enforcement agencies over municipal contracts.

Sheriff Norris of Franklin County unsuccessfully sued the St. Albans City Police Department in 2011 after the latter won a bid to police neighboring St. Albans Town.

There has also been grumbling among some sheriffs that the Vermont State Police is invading their turf when it comes to municipal contracts. In 2017, the State Police had 23 agreements with individual towns; earlier this year, it signed another with Waterbury.

Sheriffs have one distinct advantage: They live and, in some cases, grew up in the areas they police.

While out patrolling the road in his truck on a sunny afternoon last month, Colby, of Essex County, waved, or waved back, to nearly every car and tractor he passed.
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“All in the Family
11 of Vermont’s 14 sheriffs have employed or currently employ a family member

To prevent nepotism, the state forbids — with occasional exceptions — employing relatives within “the same department, institution or organizational unit.” But sheriffs, as county officials, aren’t bound by this rule.

Eleven incumbent sheriffs have employed parents, siblings, children and other family members.

Norris, who isn’t running for reelection, said he employed his son in the Franklin County Sheriff’s Department years ago “for one or two months.” But, he said, “I wouldn’t do it again.” Why not? “So people don’t accuse me of nepotism.”

Among other sheriffs, Norris noted, “it seems to be quite commonplace.”

Chamberlain, the Windsor County Sheriff, employs his wife, whom he describes as “kind of a do-it-all person.”

Grand Isle County Sheriff Ray Allen employs two sons as deputies. He was previously the chief deputy under his wife, Connie; when she died by suicide in 2011, he confronted a cousin who was renting the cousin’s store, an aunt’s house, the church window. It was his father and predecessor, — with occasional exceptions — employing relatives within “the same department, institution or organizational unit.” But sheriffs, as county officials, aren’t bound by this rule.

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Grand Isle County Sheriff Ray Allen employs two sons as deputies. He was previously the chief deputy under his wife, Connie; when she died by suicide in 2011, then-governor Peter Shumlin appointed Ray to replace her.

Marcoux, of Lamoille County, employs a nephew and a brother. The latter is a retired state trooper whom Marcoux hired his dad, who worked for him until 2010, according to the reports. That, the sheriff acknowledged ambivalence about the arrangement: “It was something that I really had to think about.”

But, he continued, “Do you discriminate against him because of his last name or do you let his record [stand for itself]?”

Bohnyak’s son worked for him in the Orange County department until eight months ago, when the son left for a job with the Vermont State Police. Bohnyak, too, said he initially had reservations, but the other supervisors in his department encouraged him. “I’m like, ‘Well, it’s my own son,’ and they were like, ‘Just hire him,’” the sheriff recalled.

Under the Radar
Historically, Vermont’s sheriffs don’t have a sterling track record when it comes to handling money. Several current officeholders inherited, by their own assessment, financial messes, and at least two of them replaced sheriffs who had been convicted of crimes.

According to Hill, State Police escorted his predecessor, Donald Edson, out of the Washington County office after he obtained a $25,000 loan from Marcoux’s department and then deposited the same amount in his sister’s bank account. In 2006, then-state auditor Randy Brock, acting on a tip, uncovered evidence that Sheila Prue, the Windham County sheriff, was spending department money on family expenses, including cell phones, pet supplies, underwear and a banjo. Prue ultimately pleaded guilty to embezzlement and stepped down.

Clark, who began his term in 2007, recalled, “When I walked in there, there was about $110,000 bills that had gone unpaid because there was just no money left here.”

No single entity is charged with overseeing sheriffs. State law does require that they provide information about their contract revenue to the assistant judges each year and that they undergo an audit every two years, conducted by a private firm hired by the state auditor. But, as Brock noted, “A lot of things can go south in two years.”

These periodic financial reviews don’t tell the full story. According to Susan Mesner, the deputy state auditor, they “do not represent a complete accounting of the sheriff’s departments’ revenues and expenses.”

The auditor’s office publishes the reports on its website, but it’s not clear anyone’s paying attention. In some cases, serious financial problems persist for years with no apparent repercussions.

The Essex County department has lacked sufficient internal controls since 2010, according to the reports. That, the
state auditor’s office noted, “increases the risk that erroneous or fraudulent transactions could occur.”

“I don’t consider it an issue,” said Sheriff Colby, who handles the finances with help from a part-time office administrator.

Discrepancies in the Orange County department’s fiscal year 2015 finances prevented the auditors from completing their review. Sheriff Bohnyak, who attributed the errors to the fact that his bookkeeper was undergoing cancer treatments at the time, hired an outside contractor to clean up the books. “It’s gonna be done right,” he assured.

Sitting sheriff Roger Marcoux said. “I feel that the people are gonna speak every four years if I’m not doing the job,” Marcoux said.

Ultimately, it’s up to the voters. “I don’t consider it an issue,” said Windham County Sheriff Marc Campbell. “I’m their employee, if you will.” That makes him essentially powerless. “Even if I had issued a policy change, for all intents and purposes, they could just say, ‘No, we’re not going to listen to you,’” Campbell said.

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