

**Office of the Vermont Secretary of State
Vermont State Archives**

**Malcolm Mayo,
Impeached, Tried, Acquitted,
1976**

Three articles of impeachment were adopted by the House against Malcolm (Mike) Mayo, Washington County Sheriff. The Senate tried Mayo and rejected all three articles.

On January 16, 1976 the House adopted Resolution No. 11 authorizing the Judiciary Committee to investigate "fully and completely whether sufficient grounds exist for the House of Representatives to impeach Washington County Sheriff Malcolm M. Mayo." The Judiciary Committee met that day to begin the investigation. William Russell of the Legislative Council was assigned to work with the committee and the commissioner of public safety was asked to provide an investigator. On January 30th the Committee adopted impeachment rules. On February 4th former judge Don O'Brien was assigned co-counsel (with Mr. Russell) for the committee. The committee decided to go into executive session to take evidence, "in order to protect the sheriff and to prevent the premature hearing of the case by the senate..." It also subpoenaed witnesses for the hearings.

After extensive testimony the committee took straw votes on the impeachment on March 4th; on the 8th it re-worded the articles of impeachment; and on March 9th adopted the articles by a 7-4 vote (the above information is from the Minutes of the House Judiciary Committee, 1976 held by the State Archives; additional legislative records on the impeachment are held by the Public Records Division at the Middlesex records center).

The three charges (found on [pages 389-390](#) of the Journal of the House, 1976) were for falsification of reports and documents; failure to perform functions of the office; and breach of duty as a police officer. On March 10th, after affirmative roll call votes on each of the articles, the resolution of impeachment was sent to the Senate.

On March 19th the senate issued summons for the sheriff to appear

before the senate on March 31st. On the 23rd the sergeant of arms of the General Assembly reported return of service, taking an oath to the performance of his duties. Rules of impeachment were adopted on March 25th (see [pages 420-429](#) of the Senate Journal, 1976).

The impeachment session began on May 17, 1976, concluding on June 2nd with the Senate rejecting all the articles of impeachment (the impeachment session is reproduced in the Senate Journal, 1976, [pages 583-617](#)).