

**No. 105. An act relating to requiring all state law enforcement officers to serve under the direction and control of the commissioner of public safety.**

(H.578)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. PURPOSE

This act shall:

(1) increase communication, provide for coordinated and strategic planning, encourage resource sharing, and identify cost savings among and within the departments of public safety, of fish and wildlife, of motor vehicles, and of liquor control;

(2) maintain the core missions of the individual state agencies;

(3) ensure a unified approach to law enforcement in Vermont;

(4) provide efficient and effective service delivery to those who live, work, and travel in Vermont.

Sec. 2. 20 V.S.A. § 1883 is added to read:

§ 1883. STATE LAW ENFORCEMENT; MEMORANDUM OF UNDERSTANDING

(a) The commissioner of public safety shall develop and execute a memorandum of understanding with the commissioners of fish and wildlife, of motor vehicles, and of liquor control and their respective directors of law enforcement. The memorandum of understanding shall be reviewed at least every two years and shall at a minimum address:

(1) Maximizing collective resources by reducing or eliminating redundancies and implementing a methodology that will enhance overall coordination and communication while supporting the mission of individual enforcement agencies.

(2) Providing for an overall statewide law enforcement strategic plan supported by quarterly planning and implementation strategy sessions to improve efficiencies and coordination on an operational level and ensure interagency cooperation and collaboration of programs funded through grants. The strategic plan should identify clear goals and measurable performance outcomes as well as specific strategic plans for individual enforcement agencies.

(3) Creating a task force concept that will provide for the sharing and disseminating of information and recommendations involving various levels of statewide law enforcement throughout Vermont that will benefit all law enforcement agencies as well as citizens.

(4) Developing an integrated and coordinated approach to multi-agency special teams with the goal of creating a force multiplier, where feasible. These teams will be coordinated by the Vermont state police during training and deployments.

(5) Providing for the commissioner of public safety, with the approval of the governor and in consultation with the commissioners of motor vehicles,

of fish and wildlife, and of liquor control, to assume the role of lead coordinator of statewide law enforcement units in the event of elevated alerts, critical incidents and all hazard events. The lead coordinator shall maintain control until in his or her judgment the event no longer requires coordinated action to ensure the public safety.

(b) A copy of the overall strategic plan shall be provided to the house and senate committees on government operations by January 15 of each year and shall include performance outcomes.

Sec. 2a. COMMISSIONER OF PUBLIC SAFETY; REPORT

The commissioner of public safety shall file a report with the house and senate committees on government operations by January 15, 2011. The report shall explain the commissioner's efforts to develop criteria to measure the reduction of redundancies and the increase in communication as set forth in Sec. 1 of this act. The report shall also recommend improvements in the command and coordination of Vermont law enforcement agencies.

Sec. 2b. CERTIFICATION OF LAW ENFORCEMENT OFFICERS

(a) The general assembly finds that because the Vermont police academy requires candidates for certification as a full-time law enforcement officer to undergo 16 weeks of extensive physical training in addition to meeting academic requirements, older individuals or individuals with minor physical disabilities who are otherwise exceptionally qualified to discharge law

enforcement duties are precluded from obtaining full-time certification and thus full-time employment as a law enforcement officer. While other states and jurisdictions have left physical training requirements to the hiring law enforcement agencies, the Vermont criminal justice training council has continued the physical training requirements, extending the cost and length of the basic training program, even though the hiring law enforcement agency already has selected and employed the candidates who seek full-time certification.

(b) The executive director of the Vermont criminal justice training council, the attorney general or designee, a designee of the department of sheriffs and state's attorneys who does not serve on the Vermont criminal justice training council, the defender general or designee, the executive director of the human rights commission or designee, and a Vermont constable selected by the chair of the trustees of the Vermont league of cities and towns shall make recommendations regarding:

(1) the advisability of granting full-time certification to law enforcement officers who have been certified as part-time officers for at least the past ten years and who have been employed a total of at least 8,000 hours as an officer discharging law enforcement duties during that period due to the fact that those officers have been unable to obtain full-time certification for failure to meet the physical fitness standards of the Vermont criminal justice training council;

(2) whether full-time law enforcement officers should be required to fulfill physical fitness standards on a periodic basis.

(c) The chair of the committee shall be the attorney general or his or her designee. The committee shall report its findings and recommendations to the house and senate committees on government operations and the house and senate judiciary committees no later than January 15, 2011.

Sec. 3. EFFECTIVE DATE

This act shall take effect upon passage.

Approved: May 13, 2010