

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 174
3 entitled “An act relating to a model State policy for use of body cameras by
4 law enforcement officers” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. LAW ENFORCEMENT ADVISORY BOARD; MODEL STATE
8 POLICY; BODY CAMERAS

9 (a)(1) On or before December 15, 2016, the Law Enforcement Advisory
10 Board shall establish and report to the Senate and House Committees on
11 Judiciary and on Government Operations a statewide policy for the use of body
12 cameras by Vermont law enforcement officers.

13 (2) The report required by this subsection shall include a section
14 addressing:

15 (A) any costs associated with establishing the statewide policy,
16 including strategies for minimizing the costs of obtaining cameras and storing
17 data; and

18 (B) potential grants available to alleviate the costs of establishing the
19 statewide policy.

20 (b) The model policy required by this section shall include provisions
21 regarding:

1 (1) when a law enforcement officer should wear a body camera;

2 (2) under what circumstances a law enforcement officer wearing a body
3 camera should turn the camera on and off, and a requirement that the officer
4 provide the reasons for doing so each time the camera is turned on and off;

5 (3) when a video recording made by a law enforcement officer's body
6 camera should be exempt from disclosure under the Public Records Act as
7 determined by 1 V.S.A. chapter 5, subchapter 3; and

8 (4) treatment of situations when a law enforcement officer's body
9 camera malfunctions or is unavailable.

10 (c)(1) Except as provided in subdivision (2) of this subsection, on or before
11 July 1, 2017, every State, local, county, and municipal law enforcement agency
12 and every constable who is not employed by a law enforcement agency shall
13 adopt a policy for the use of body cameras by law enforcement officers that at
14 a minimum meets the requirements of the policy established by the Law
15 Enforcement Advisory Board pursuant to subsection (a) of this section. If a
16 law enforcement agency or officer that is required to adopt a policy pursuant to
17 this subsection fails to do so on or before July 1, 2017, that agency or officer
18 shall be deemed to have adopted, and shall follow and enforce, the model
19 policy established by the Law Enforcement Advisory Board pursuant to
20 subsection (a) of this section.

1 (2) A law enforcement agency or constable that does not use body
2 cameras shall not be required to adopt a model policy under subdivision (1) of
3 this subsection.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on passage.

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8 (Committee vote: _____)

9

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Senator _____

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FOR THE COMMITTEE