

---

This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

---

**Act No. 54 (H.308). Judiciary; Public Safety**

**An act relating to the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel**

This act:

- Establishes a Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel within the Office of the Attorney General, comprising 13 members, including five members appointed by the AG to represent the interests of communities of color, the Executive Director of Criminal Justice Training Council, the Attorney General, the Defender General, the Executive Director of the State's Attorneys and Sheriffs, the Chief Superior Judge, the Commissioner of Corrections, the Commissioner of Public Safety, and the Commissioner for Children and Families. Sunsets the Advisory Panel in July of 2020.
- Requires the newly established Panel to consult with the Vermont Police Association, the Vermont Human Rights Commission, the Vermont ACLU, the Sheriff's Association, the Association of Chiefs of Police, and others.
- Sets the responsibilities of the Panel to include:
  - Reviewing and providing recommendations to address systemic racial disparities in statewide systems of criminal and juvenile justice.
  - Continually reviewing the traffic stop data required by 20 V.S.A. § 2366 to monitor progress towards a fair and impartial system of law enforcement.
  - Providing recommendations to the Criminal Justice Training Council and the Vermont Bar Association on trainings for law enforcement, judges, correctional officers, and attorneys to address implicit bias.
  - Providing recommendations to the Council on a model training and policy on the use of force in policing.
  - Educating and engaging with communities, businesses, educational institutions, State and local governments, and the general public

- about the nature and scope of racial discrimination and on State progress toward racial justice.
- Monitoring progress on recommendations from 2016 report of the Attorney General's Working Group on Law Enforcement Community Interactions.
  - Reporting to the General Assembly on recommendations to address systemic implicit bias, including:
    - How to institute a public complaint process to address perceived implicit bias across all systems of State government.
    - How and whether to prohibit racial profiling.
    - Whether to expand law enforcement race-based data collection to include data on nontraffic stops by law enforcement.
  - Requires that the Criminal Justice Training Council regularly report to the Panel on:
    - The adoption and implementation of the Panel's recommended implicit bias trainings for law enforcement, judges, correctional officers, and attorneys.
    - The incorporation of implicit bias training into the requirements of minimum training standards for law enforcement.
    - The implementation of the statutorily required trainings for law enforcement.
  - Requires the Attorney General and Human Rights Commission, along with interested stakeholders, to develop a strategy to address racial disparities within the State systems of education, labor and employment, access to housing and health care, and economic development, and report on the proposal to the Justice Oversight Committee on or before November 1, 2017.
  - Requires the Criminal Justice Training Council and the Attorney General to modify the model fair and impartial policing policy to bring it into compliance with federal immigration law on or before October 1, 2017.
  - Requires the Criminal Justice Training Council, in consultation with stakeholders, to update the model policy to provide one cohesive policy for law enforcement to adopt pursuant to 20 V.S.A. § 2366 on or before January 1, 2018.

- Requires law enforcement to adopt a fair and impartial policing policy that includes, at a minimum, each component of the Criminal Justice Training Council's model policy on or before March 1, 2018.
- Requires the Criminal Justice Training Council, in consultation with others, to review and—if necessary—update the model policy every other year, beginning in 2018.
- Requires the Criminal Justice Training Council and the Attorney General to review the law enforcement policies to ensure they comply with the model policy on or before April 15, 2018. The Council must work with law enforcement to correct any noncompliant policies. If a law enforcement agency does not adopt a policy that meets each component of the model policy, it is deemed to have adopted the model policy.

Bill takes effect on May 31, 2017, except for Sec. 6, which takes effect on March 1, 2018.