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H.475

Introduced by Representatives Terenzini of Rutland Town, Ainsworth of
Royalton, Bancroft of Westford, Batchelor of Derby, Beyor of
Highgate, Briglin of Thetford, Canfield of Fair Haven, Condon
of Colchester, Cupoli of Rutland City, Devereux of
Mount Holly, Gage of Rutland City, Graham of Williamstown,
Higley of Lowell, Hooper of Brookfield, Hubert of Milton,
LaClair of Barre Town, Lawrence of Lyndon, Lefebvre of
Newark, Lewis of Berlin, Marcotte of Coventry, Martel of
Waterford, McFaun of Barre Town, Morrissey of Bennington,
Myers of Essex, Parent of St. Albans Town, Pearce of Richford,
Quimby of Concord, Savage of Swanton, Shaw of Pittsford,
Smith of New Haven, Strong of Albany, Turner of Milton,
Van Wyck of Ferrisburgh, Viens of Newport City, Willhoit of
St. Johnsbury, and Yantachka of Charlotte

Referred to Committee on

Date:

Subject: Corrections; parole; correctional officers

Statement of purpose of bill as introduced: This bill proposes to require the
Commissioner of Corrections to authorize a correctional officer assigned to a

1 parole and probation office to become certified as a law enforcement officer,
2 upon request.

3 An act relating to law enforcement certification of correctional officers

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

5 Sec. 1. 28 V.S.A. § 551a is amended to read:

6 § 551a. LAW ENFORCEMENT POWERS OF CORRECTIONAL
7 OFFICERS; TRAINING REQUIREMENTS

8 (a) The Commissioner of Corrections shall establish training requirements
9 necessary for a correctional officer to be authorized to exercise the power to
10 arrest a person on probation under section 301 of this title, to arrest a person
11 serving supervised community sentence under section 363 of this title, or to
12 arrest a person on parole under section 551 of this title. The required training
13 shall include training in search and seizure, criminal law, authority to arrest,
14 use of force, reporting and record keeping, and liability for actions and
15 conduct.

16 (b) ~~The~~ Upon request by a correctional officer who is assigned to a parole
17 and probation office, the Commissioner may also authorize and designate ~~any~~
18 the correctional officer ~~as defined in subdivision 3(10) of this title~~ to become
19 certified by the Vermont Criminal Justice Training Council as a law
20 enforcement officer pursuant to the provisions of 20 V.S.A. chapter 151. The

1 Commissioner and the Executive Director of the Vermont Criminal Justice
2 Training Council shall develop curriculum subject to the approval of the
3 Council. The Commissioner by Department policy may prescribe the use of
4 those law enforcement powers consistent with the official duties and job
5 descriptions of the correctional officer, ~~and may direct that the correctional~~
6 ~~officer not carry any weapon while on duty.~~ Any person hereby certified shall
7 be sworn by the Commissioner.

8 Sec. 2. EFFECTIVE DATE

9 This act shall take effect on July 1, 2017.