

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Government Operations to which was referred House
3 Bill No. 22 entitled “An act relating to the professional regulation of law
4 enforcement officers by the Vermont Criminal Justice Training Council”
5 respectfully reports that it has considered the same and recommends that the
6 bill be amended as follows:

7 First: In Sec. 1, in 20 V.S.A. chapter 151 (Vermont Criminal Justice
8 Training Council), in § 2362a (potential hiring agency; duty to contact former
9 agency), in subdivision (a)(1), following “Prior to hiring a law enforcement
10 officer who” by striking out the words “has been employed at another” and
11 inserting in lieu thereof the words “is no longer employed at his or her last”

12 Second: In Sec. 1, in 20 V.S.A. chapter 151 (Vermont Criminal Justice
13 Training Council), in § 2401 (definitions), in subdivision (1) (“Category A
14 conduct”), in subdivision (C) (misdemeanors committed off duty), in
15 subdivision (ix), following “prostitution” by inserting the words “or soliciting
16 prostitution”

17 Third: In Sec. 1, in 20 V.S.A. chapter 151 (Vermont Criminal Justice
18 Training Council), in § 2401 (definitions), in subdivision (4) (“effective
19 internal affairs program”), in subdivision (E) (civilian review), following
20 “which may be a selectboard or other elected” by inserting the words “or
21 appointed”

1 Fourth: In Sec. 1, in 20 V.S.A. chapter 151 (Vermont Criminal Justice
2 Training Council), in § 2403 (law enforcement agencies; duty to report), by
3 striking out subdivision (a)(1) in its entirety and inserting in lieu thereof a new
4 subdivision (a)(1) to read as follows:

5 (a)(1) The executive officer of a law enforcement agency or the chair of the
6 agency’s civilian review board shall report to the Council within 10 business
7 days if any of the following occur in regard to a law enforcement officer of the
8 agency:

9 (A) Category A.

10 (i) There is a finding of probable cause by a court that the officer
11 committed Category A conduct.

12 (ii) There is any decision or findings of fact or verdict regarding
13 allegations that the officer committed Category A conduct, including a judicial
14 decision and any appeal therefrom.

15 (B) Category B.

16 (i) The agency receives a complaint against the officer that, if
17 deemed credible by the executive officer of the agency as a result of a valid
18 investigation, alleges that the officer committed Category B conduct.

19 (ii) The agency receives or issues any of the following:

20 (I) a report or findings of a valid investigation finding that the
21 officer committed Category B conduct; or

1 (II) any decision or findings, including findings of fact or
2 verdict, regarding allegations that the officer committed Category B conduct,
3 including a hearing officer decision, arbitration, administrative decision, or
4 judicial decision, and any appeal therefrom.

5 (C) Termination. The agency terminates the officer for Category A
6 or Category B conduct.

7 (D) Resignation. The officer resigns from the agency while under
8 investigation for unprofessional conduct.

9 Fifth: In Sec. 1, in 20 V.S.A. chapter 151 (Vermont Criminal Justice
10 Training Council), in § 2407 (limitation on Council sanctions; first offense of
11 Category B conduct), by striking out subsection (a) in its entirety and inserting
12 in lieu thereof a new subsection (a) to read as follows:

13 (a) Category B conduct; first offense. If a law enforcement agency
14 conducts a valid investigation of a complaint alleging that a law enforcement
15 officer committed a first offense of Category B conduct, the Council shall take
16 no action.

17 Sixth: In Sec. 1, in 20 V.S.A. chapter 151 (Vermont Criminal Justice
18 Training Council), in § 2409 (accessibility and confidentiality), in subdivision
19 (c)(2)(A), following “the name and business address of the law enforcement
20 officer” by striking out the words “and the complainant”
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2 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE