

1 Introduced by Committee on Judiciary

2 Date:

3 Subject: Law enforcement; fair and impartial policing

4 Statement of purpose of bill as introduced: This bill proposes to require law  
5 enforcement to adopt the Criminal Justice Training Council model fair and  
6 impartial policing policy.

7 An act relating to fair and impartial policing

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

9 Sec. 1. 20 V.S.A. § 2366 is amended to read:

10 § 2366. LAW ENFORCEMENT AGENCIES; FAIR AND IMPARTIAL  
11 POLICING POLICY; RACE DATA COLLECTION

12 (a)(1) On or before January 1, ~~2016~~ 2018, the Criminal Justice Training  
13 Council, in consultation with stakeholders, including the Vermont League of  
14 Cities and Towns, the Vermont Human Rights Commission, and Migrant  
15 Justice, shall create a model fair and impartial policing policy. On or before  
16 July 1, 2016, every State, local, county, and municipal law enforcement agency  
17 and every constable who exercises law enforcement authority pursuant to 24  
18 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title  
19 shall adopt a fair and impartial policing policy that includes, at a minimum, the  
20 elements of the Criminal Justice Training Council model policy.

1           (2) On or before October 1 of 2017 and of every odd-numbered year  
2           thereafter, the Criminal Justice Training Council, in consultation with the  
3           Attorney General, shall review and, if necessary, update the model fair and  
4           impartial policing policy.

5           ~~(b) If a law enforcement agency or constable that is required to adopt a~~  
6           ~~policy pursuant to subsection (a) of this section fails to do so on or before~~  
7           ~~July 1, 2016, that agency or constable shall be deemed to have adopted, and~~  
8           ~~shall follow and enforce, the model policy issued by the Criminal Justice~~  
9           ~~Training Council. [Repealed.]~~

10           (c) On or before September 15, 2014, and annually thereafter as part of  
11           their annual training report to the Council, every State, county, and municipal  
12           law enforcement agency and every constable who exercises law enforcement  
13           authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with  
14           section 2358 of this title shall report to the Council whether the agency or  
15           officer has adopted a the fair and impartial policing policy in accordance with  
16           ~~subsections~~ subsection (a) ~~and (b)~~ of this section. The Criminal Justice  
17           Training Council shall determine, as part of the Council's annual certification  
18           of training requirements, whether current officers have received training on fair  
19           and impartial policing as required by 20 V.S.A. § 2358(e).

20           (d) On or before October 15, 2014, and annually thereafter on April 1, the  
21           Criminal Justice Training Council shall report to the House and Senate

1 Committees on Judiciary which departments and officers have adopted a the  
2 fair and impartial policing policy, and whether officers have received training  
3 on fair and impartial policing.

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5 Sec. 2. CRIMINAL JUSTICE TRAINING COUNCIL; FAIR AND  
6 IMPARTIAL POLICING POLICY

7 On or before October 1, 2017, the Criminal Justice Training Council, in  
8 consultation with the Attorney General, shall review and modify the model fair  
9 and impartial policing policy to the extent necessary to bring the policy into  
10 compliance with 8 U.S.C. §§ 1373 and 1644.

11 Sec. 3. EFFECTIVE DATE

12 This act shall take effect on passage, except for Sec. 2 (law enforcement  
13 agencies; fair and impartial policing policy; race data collection), which shall  
14 take effect on October 2, 2017.