

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

1 minimum, ~~the elements of~~ the Criminal Justice Training Council model fair
2 and impartial policing policy.

3 (2) On or before October 1, 2018, and every even-numbered year
4 thereafter, the Criminal Justice Training Council, in consultation with the
5 Attorney General and the Human Rights Commission, shall review and, if
6 necessary, update the model fair and impartial policing policy.

7 (b) ~~If a~~ To ensure statewide compliance with the Criminal Justice Training
8 Council model fair and impartial policing policy, the Attorney General shall
9 review and make necessary amendments to the policy of any law enforcement
10 agency or constable that is required to adopt a policy pursuant to subsection (a)
11 of this section that does not adopt the Criminal Justice Training Council model
12 policy. fails to do so on or before July 1, 2016, that agency or constable shall
13 be deemed to have adopted, and shall follow and enforce, the model policy
14 issued by the Criminal Justice Training Council.

15 (c) ~~On or before September 15, 2014, and annually thereafter~~ Annually, as
16 part of their annual training report to the Council, every State, county, and
17 municipal law enforcement agency and every constable who exercises law
18 enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in
19 compliance with section 2358 of this title shall report to the Council whether
20 the agency or officer has adopted a the fair and impartial policing policy in
21 accordance with ~~subsections~~ subsection (a) ~~and (b)~~ of this section. The

1 Criminal Justice Training Council shall determine, as part of the Council's
2 annual certification of training requirements, whether current officers have
3 received training on fair and impartial policing as required by 20 V.S.A.
4 § 2358(e).

5 (d) ~~On or before October 15, 2014, and annually thereafter~~ Annually on
6 April 1, the Criminal Justice Training Council shall report to the House and
7 Senate Committees on Judiciary which departments and officers have adopted
8 a the fair and impartial policing policy, and whether officers have received
9 training on fair and impartial policing.

10 * * *

11 Sec. 2. CRIMINAL JUSTICE TRAINING COUNCIL; FAIR AND
12 IMPARTIAL POLICING POLICY

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

17 (b) On or before January 1, 2018, the Criminal Justice Training Council, in
18 consultation with stakeholders, including the Vermont League of Cities and
19 Towns, the Vermont Human Rights Commission, and Migrant Justice, shall
20 update its model fair and impartial policing policy.

1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on passage.