

1 TO THE HONORABLE SENATE:

2 The Committee on Government Operations to which was referred Senate
3 Bill No. 273 entitled “An act relating to miscellaneous law enforcement
4 amendments” respectfully reports that it has considered the same and
5 recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 * * * Training * * *

8 Sec. 1. 20 V.S.A. § 2352 is amended to read:

9 § 2352. COUNCIL MEMBERSHIP

10 (a)(1) The Vermont Criminal Justice Training Council shall consist of:

11 (A) the Commissioners of Public Safety, of Corrections, of Motor
12 Vehicles, ~~and~~ of Fish and Wildlife, and of Mental Health;

13 (B) the Attorney General;

14 (C) a member of the Vermont Troopers’ Association or its successor
15 entity, elected by its membership;

16 (D) a member of the Vermont Police Association, elected by its
17 membership; ~~and~~

18 (E) ~~five additional members appointed by the Governor.~~

19 (i) ~~The Governor’s appointees shall provide broad representation~~
20 ~~of all aspects of law enforcement and the public in Vermont on the Council.~~

1 ~~(ii) The Governor shall solicit recommendations for appointment~~
2 ~~from the Vermont State’s Attorneys Association, the Vermont State’s Sheriffs~~
3 ~~Association, the Vermont Police Chiefs Association, and the Vermont~~
4 ~~Constables Association~~ a member of the Chiefs of Police Association of
5 Vermont, appointed by the President of the Association;

6 (F) a member of the Vermont Sheriffs’ Association, appointed by the
7 President of the Association;

8 (G) a law enforcement officer appointed by the President of the
9 Vermont State Employees Association;

10 (H) an employee of the Vermont League of Cities and Towns,
11 appointed by the Executive Director of the League; and

12 (I) an employee of the Vermont Center for Crime Victim Services,
13 appointed by the Executive Director of the Center.

14 * * *

15 Sec. 2. 20 V.S.A. § 2355 is amended to read:

16 § 2355. COUNCIL POWERS AND DUTIES

17 (a) The Council shall adopt rules with respect to:

18 (1) the approval, or revocation thereof, of law enforcement officer
19 training schools and off-site training programs, which shall include rules to
20 identify and implement alternate routes to certification aside from the training
21 provided at the Vermont Police Academy;

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(b)(1)(A) The Council shall conduct and administer training schools and offer courses of instruction for law enforcement officers and other criminal justice personnel. The Council shall offer courses of instruction for law enforcement officers in different regions of the State and shall strive to replace overnight courses with these regional trainings whenever possible.

(B) The Council shall offer its training programs for law enforcement officers on a first-come, first-served basis and only for named individuals.

(2) The Council may also offer the basic officer’s course for ~~pre-service~~ preservice students and educational outreach courses for the public, including firearms safety and use of force.

* * *

Sec. 3. COUNCIL; REPORT ON TRAINING ALTERNATIVES

On or before January 15, 2019, the Executive Director of the Vermont Criminal Justice Training Council shall report to the Senate and House Committees on Government Operations regarding the Council’s identification and implementation of alternate routes to certification and its plan to replace some of its overnight law enforcement training requirements at the Robert H. Wood, Jr. Criminal Justice and Fire Service Training Center of Vermont (Police Academy) with training in different regions of the State, in accordance with 20 V.S.A. § 2355 in Sec. 2 of this act. The report may be in verbal form.

1 Sec. 4. 20 V.S.A. § 2361 is amended to read:

2 § 2361. ADDITIONAL TRAINING

3 (a) Nothing in this chapter prohibits any ~~State~~ law enforcement agency,
4 ~~department, or office or any municipality or county of the State~~ from providing
5 additional training beyond basic training to its personnel where no certification
6 is requested of or required by the Council or its Executive Director.

7 (b) The ~~head of a State agency, department, or office, a municipality's chief~~
8 ~~of police, or a sheriff~~ executive officer of a law enforcement agency may seek
9 certification from the Council for any in-service training he or she may provide
10 to ~~his or her employees~~ law enforcement officers of his or her agency, or of
11 another agency, or both.

12 Sec. 5. 20 V.S.A. § 2358 is amended to read:

13 § 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

14 * * *

15 (b) The Council shall offer or approve basic training and annual in-service
16 training for each of the following three levels of law enforcement officer
17 certification in accordance with the scope of practice for each level; and shall
18 determine by rule the scope of practice for each level in accordance with the
19 provisions of this section:

20 (1) Level I certification.

21 * * *

1 (2) Level II certification.

2 * * *

3 (3) Level III certification.

4 * * *

5 (c)(1) All programs required by this section shall be approved by the
6 Council.

7 (2) The Council shall structure its programs so that an officer certified
8 as a Level II law enforcement officer may complete additional training in
9 block steps in order to transition to Level III certification, without such an
10 officer needing to restart the certification process.

11 (3) Completion of a program shall be established by a certificate to that
12 effect signed by the Executive Director of the Council.

13 * * *

14 * * * Administration * * *

15 Sec. 6. 20 V.S.A. § 2053 is amended to read:

16 § 2053. COOPERATION WITH OTHER AGENCIES

17 (a) The ~~center~~ Center shall cooperate with other ~~state~~ State departments and
18 agencies, municipal police departments, sheriffs, and other law enforcement
19 officers in this ~~state~~ State and with federal and international law enforcement
20 agencies to develop and carry on a uniform and complete ~~state~~ State, interstate,

1 national, and international system of records of ~~criminal activities~~ commission
2 of crimes and information.

3 (b)(1) All ~~state~~ State departments and agencies, municipal police
4 departments, sheriffs, and other law enforcement officers shall cooperate with
5 and assist the ~~center~~ Center in the establishment of a complete and uniform
6 system of records relating to the commission of crimes, arrests, convictions,
7 imprisonment, probation, parole, fingerprints, photographs, stolen property,
8 and other matters relating to the identification and records of persons who have
9 or who are alleged to have committed a crime, or who are missing persons, or
10 who are fugitives from justice.

11 (2) In order to meet the requirements of subdivision (1) of this
12 subsection, the Center shall establish and provide training on a uniform list of
13 definitions to be used in entering data into a law enforcement agency's system
14 of records, and every law enforcement officer shall use those definitions when
15 entering data into his or her agency's system.

16 * * * Coverage * * *

17 Sec. 7. 20 V.S.A. chapter 113, subchapter 2 is amended to read:

18 Subchapter 2. State Police

19 * * *

1 § 1916. STATE POLICE BARRACKS; DUTY TO PROVIDE CALL
2 INFORMATION

3 On a quarterly basis, each State Police barracks shall submit to the
4 selectboard of each town within the barracks' jurisdiction a report describing
5 the nature of calls to the State Police from residents in that town in the
6 preceding quarter, without providing any personally identifying information.

7 Sec. 8. LEAB; REPEAL FOR RECODIFICATION

8 24 V.S.A. § 1939 (Law Enforcement Advisory Board) is repealed.

9 Sec. 9. 20 V.S.A. § 1818 is added to read:

10 § 1818. LAW ENFORCEMENT ADVISORY BOARD

11 (a) The Law Enforcement Advisory Board is created within the Department
12 of Public Safety to advise the Commissioner of Public Safety, the Governor,
13 and the General Assembly on issues involving the cooperation and
14 coordination of all agencies that exercise law enforcement responsibilities.

15 The Board shall review any matter that affects more than one law enforcement
16 agency. The Board shall comprise the following members:

17 (1) the Commissioner of Public Safety or designee;

18 (2) a member of the Chiefs of Police Association of Vermont appointed
19 by the President of the Association;

20 (3) a member of the Vermont Sheriffs' Association appointed by the
21 President of the Association;

1 (4) a representative of the Vermont League of Cities and Towns
2 appointed by the Executive Director of the League;

3 (5) a member of the Vermont Police Association appointed by the
4 President of the Association;

5 (6) the Attorney General or designee;

6 (7) a State’s Attorney appointed by the Executive Director of the
7 Department of State’s Attorneys and Sheriffs;

8 (8) the U.S. Attorney or designee;

9 (9) the Executive Director of the Vermont Criminal Justice Training
10 Council;

11 (10) the Defender General or designee;

12 (11) one representative of the Vermont Troopers’ Association or its
13 successor entity, elected by its membership; and

14 (12) a member of the Vermont Constables Association appointed by the
15 President of the Association.

16 (b) The Board shall elect a chair and a vice chair, which positions shall
17 rotate among the various member representatives. Each member shall serve a
18 term of two years. The Board shall meet at the call of the Chair or a majority
19 of the members. A quorum shall consist of seven members, and decisions of
20 the Board shall require the approval of a majority of those members present
21 and voting.

1 (c) The Board shall undertake an ongoing formal process of reviewing law
2 enforcement policies and practices with a goal of developing a comprehensive
3 approach to providing the best services to Vermonters, given the monies
4 available. The Board shall also provide educational resources to Vermonters
5 about public safety challenges in the State.

6 (d)(1) The Board shall meet at its discretion to develop policies and
7 recommendations for law enforcement priority needs, including retirement
8 benefits, recruitment of officers, training, homeland security issues,
9 dispatching, and comprehensive drug enforcement.

10 (2) The Board shall present its findings and recommendations in brief
11 summary form to the House and Senate Committees on Judiciary and on
12 Government Operations annually on or before January 15.

13 Sec. 10. LEAB; RECODIFICATION DIRECTIVE

14 (a) 24 V.S.A. § 1939 is recodified as 20 V.S.A. § 1818. During statutory
15 revision, the Office of Legislative Council shall revise accordingly any
16 references to 24 V.S.A. § 1939 in the Vermont Statutes Annotated.

17 (b) Any references in session law and adopted rules to 24 V.S.A. § 1939 as
18 previously codified shall be deemed to refer to 20 V.S.A. § 1818.

1 Sec. 11. LEAB; 2019 REPORT ON MUNICIPAL ACCESS TO LAW
2 ENFORCEMENT SERVICES

3 As part of its annual report in the year 2019, the Law Enforcement
4 Advisory Board shall specifically recommend ways that towns can increase
5 access to law enforcement services.

6 * * * Dispatch * * *

7 Sec. 12. DEPARTMENT OF PUBLIC SAFETY AND THE VERMONT
8 ENHANCED 911 BOARD; PROPOSAL FOR AN EQUITABLE
9 STATEWIDE PUBLIC SAFETY DISPATCH SYSTEM

10 (a)(1) The Department of Public Safety and the Vermont Enhanced 911
11 Board shall jointly consult with the Vermont League of Cities and Towns in
12 order to propose a plan that, if implemented within five to 10 years, would
13 result in a comprehensive, efficient, and equitably funded statewide public
14 safety dispatch system to dispatch law enforcement, fire, and emergency
15 medical services.

16 (2) Included in the proposed plan shall be recommendations regarding:

17 (A) the manner in which different dispatch services should
18 communicate among each other;

19 (B) whether there should be different dispatching services used
20 among State agencies and departments; and

21 (C) the funding source or sources for the proposed plan.

1 (b) On or before January 1, 2019, the Department and the Board shall
2 jointly submit the proposed plan to:

3 (1) the Senate Committees on Finance, on Government Operations, on
4 Appropriations, and on Economic Development, Housing and General Affairs;

5 (2) the House Committees on Commerce and Economic Development,
6 on Government Operations, on Appropriations, and on Ways and Means; and

7 (3) the Governor.

8 * * * Effective Dates and Implementation * * *

9 Sec. 13. EFFECTIVE DATES; IMPLEMENTATION

10 This act shall take effect on July 1, 2018, except the following sections shall
11 take effect on July 1, 2019:

12 (1) Sec. 2, amending 20 V.S.A. § 2355 (Council powers and duties),
13 except that the requirement to adopt rules set forth in subdivision (a)(1) of that
14 section shall take effect on July 1, 2018 so that those rules are adopted on or
15 before July 1, 2019;

16 (2) Sec. 5, amending 20 V.S.A. § 2358 (minimum training standards;
17 definitions); and

18 (3) Sec. 6, amending 20 V.S.A. § 2053 (cooperation with other
19 agencies).

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2 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE