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Act No. 147 (S.219). Professions and occupations; law enforcement; crimes

An act relating to addressing racial bias and excessive use of force by law enforcement

This act:

- Makes State grant funding to law enforcement contingent on the Sec. of Administration or designee confirming that the agency has complied with race data reporting requirements within the past six months and directs the Secretary of Administration to notify all law enforcement agencies of the new contingency on or before August 1, 2020.
- Requires the roadside stop data collected by law enforcement to include data on law enforcement use of force, including threatened force. Defines physical force to include use of force greater than that required to handcuff a compliant person. Requires that the data collected be sent to the Executive Director of Racial Equity, and that it be posted in a manner that is analyzable, accessible to the public, clear, and understandable.
- Amends unprofessional conduct parameters for law enforcement by adding the following new conduct to “category B” misconduct in the unprofessional conduct chapter:
 - Using a prohibited restraint on a person (defined in the bill as the use of any maneuver that applies pressure to the neck, throat, windpipe, or carotid artery that may prevent or hinder breathing, reduce intake of air, or impede the flow of blood or oxygen to the brain).
 - Failing to intervene and failing to report to a supervisor when an officer observes another officer using a prohibited restraint or otherwise using excessive force on a person.
- Creates a new crime that becomes effective on October 1, 2020, prohibiting law enforcement from using certain types of restraints that cause serious bodily injury or death. Imposes a 20-year maximum prison sentence or 50k fine, or both.
- Requires the Department of Public Safety to equip all Vermont State Police with video recording devices on or before August 1, 2020.

Multiple effective dates, beginning on September 1, 2020