

1 S.124

2 Introduced by Senator White

3 Referred to Committee on

4 Date:

5 Subject: Public safety; government operations; law enforcement;

6 miscellaneous

7 Statement of purpose of bill as introduced: This bill proposes to make  
8 miscellaneous amendments regarding law enforcement in the operation of  
9 government. The bill addresses the topics of law enforcement officer training;  
10 officer recruitment and retention; the administration of law enforcement  
11 services; law enforcement coverage; and 911 call-taking (PSAPs) and dispatch.

12 An act relating to miscellaneous law enforcement amendments

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

14 \* \* \* Training \* \* \*

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

16 § 2352. COUNCIL MEMBERSHIP

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

18 (A) the Commissioners of Public Safety, of Corrections, of Motor  
19 Vehicles, and of Fish and Wildlife;

20 (B) the Attorney General;

1 (C) a member of the Vermont Troopers' Association or its successor  
2 entity, elected by its membership;

3 (D) a member of the Vermont Police Association, elected by its  
4 membership;

5 (E) a member of the Chiefs of Police Association of Vermont,  
6 appointed by the President of the Association;

7 (F) a member of the Vermont Sheriffs' Association, appointed by the  
8 President of the Association; and

9 ~~(E)~~(G) ~~five~~ three additional members appointed by the Governor.

10 (i) The Governor's appointees shall provide broad representation  
11 of all aspects of law enforcement and the public in Vermont on the Council.

12 (ii) The Governor shall solicit recommendations for appointment  
13 from the Vermont State's Attorneys Association, the Vermont ~~State's Sheriffs~~  
14 Sheriffs' Association, the Chiefs of Police Association of Vermont Police  
15 ~~Chiefs Association~~, and the Vermont Constables Association.

16 \* \* \*

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

18 § 2355. COUNCIL POWERS AND DUTIES

19 \* \* \*

20 (b)~~(1)~~(A) The Council shall conduct and administer training schools and  
21 offer courses of instruction for law enforcement officers and other criminal

1 justice personnel. The Council shall offer courses of instruction for law  
2 enforcement officers in different areas of the State and shall strive to offer  
3 nonovernight courses whenever possible.

4 (B) The Council shall offer its training programs for law enforcement  
5 officers on a first-come, first-served basis.

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

9 \* \* \*

10 Sec. 3. COUNCIL; REPORT ON NONOVERNIGHT TRAINING

11 On or before January 1, 2020, the Executive Director of the Vermont  
12 Criminal Justice Training Council shall report to the Senate and House  
13 Committees on Government Operations regarding the Council's plan to replace  
14 some of its overnight law enforcement training requirements at the Robert H.  
15 Wood, Jr. Criminal Justice and Fire Service Training Center of Vermont (the  
16 Police Academy) with nonovernight training in other areas of the State, in  
17 accordance with 20 V.S.A. § 2355(b)(1)(A) in Sec. 2 of this act.

1 Sec. 4. 20 V.S.A. § 2358 is amended to read:

2 § 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

3 \* \* \*

4 (b) The Council shall offer or approve basic training and annual in-service  
5 training for each of the following three levels of law enforcement officer  
6 certification in accordance with the scope of practice for each level, and shall  
7 determine by rule the scope of practice for each level in accordance with the  
8 provisions of this section:

9 (1) Level I certification.

10 \* \* \*

11 (2) Level II certification.

12 \* \* \*

13 (3) Level III certification.

14 \* \* \*

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

17 (2) The Council shall structure its programs so that a Level II certified  
18 officer may complete additional training in block steps in order to transition to  
19 Level III certification, without such an officer needing to restart the  
20 certification process.





1 and records of persons who have or who are alleged to have committed a  
2 crime, who are missing persons, or who are fugitives from justice.

3 Sec. 8. 20 V.S.A. chapter 113, subchapter 2 is amended to read:

4 Subchapter 2. State Police

5 § 1910. DUTIES OF THE STATE POLICE; PROHIBITION ON  
6 MUNICIPAL CONTRACTS

7 (a) The duties of the State Police are:

8 (1) the detection and investigation of major crimes;

9 (2) the patrol of highways and the operation of traffic thereon; and

10 (3) special investigations.

11 (b) The State Police is prohibited from entering into contracts with  
12 municipalities for the provision of law enforcement services.

13 \* \* \*

14 Sec. 9. VERMONT STATE POLICE; PROHIBITION ON RENEWING  
15 MUNICIPAL LAW ENFORCEMENT CONTRACTS

16 In accordance with 20 V.S.A. § 1910(b) set forth in Sec. 8 of this act, the  
17 Vermont State Police shall be permitted to fulfill but is prohibited from  
18 renewing any contract it has with a municipality for the provision of law  
19 enforcement services that is in effect on the effective date of that section.

1 Sec. 10. 24 V.S.A. § 4382 is amended to read:

2 § 4382. THE PLAN FOR A MUNICIPALITY

3 (a) A plan for a municipality may be consistent with the goals established  
4 in section 4302 of this title and compatible with approved plans of other  
5 municipalities in the region and with the regional plan and shall include the  
6 following:

7 \* \* \*

8 (13) A public safety plan, including an analysis of the police, fire, and  
9 emergency medical service resources, needs, scarcities, costs, and problems  
10 within the municipality.

11 \* \* \*

12 Sec. 11. APPLICABILITY TO MUNICIPAL PLANS

13 Sec. 10 of this act, amending 24 V.S.A. § 4382 (the plan for a  
14 municipality), shall apply to municipal plans adopted or amended on or after  
15 January 1, 2020.

16 \* \* \* Coverage \* \* \*

17 Sec. 12. 20 V.S.A. § 2055 is amended to read:

18 § 2055. FILES

19 (a) The ~~director~~ Director of the Vermont ~~crime information center~~ Crime  
20 Information Center shall:



1           (1) disseminate on a quarterly basis to the legislative body of each town  
2           in the State without a police department a report describing the nature of  
3           crimes alleged to have been committed in that town in the preceding quarter,  
4           without providing any personally identifying information; and

5           (2) maintain and disseminate such files as are necessary relating to the  
6           commission of crimes, arrests, convictions, disposition of criminal causes,  
7           probation, parole, fugitives from justice, missing persons, fingerprints,  
8           photographs, stolen property, and such matters as the ~~commissioner~~  
9           Commissioner deems relevant.

10          (b) The ~~director~~ Director shall maintain criminal records pursuant to this  
11          chapter regardless of whether the record is fingerprint supported. Any “no  
12          print, no record” rule or policy of the ~~center~~ Center shall be void.

13          Sec. 13. LEAB; REPEAL FOR RECODIFICATION

14           24 V.S.A. § 1939 (Law Enforcement Advisory Board) is repealed.

15          Sec. 14. 20 V.S.A. § 1818 is added to read:

16          § 1818. LAW ENFORCEMENT ADVISORY BOARD

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

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

3 (1) the Commissioner of Public Safety;

4 (2) the Director of the Vermont State Police;

5 (3) the Director of the Vermont Criminal Justice Services Division;

6 (4) a member of the Chiefs of Police Association of Vermont appointed  
7 by the President of the Association;

8 (5) a member of the Vermont Sheriffs' Association appointed by the  
9 President of the Association;

10 (6) a representative of the Vermont League of Cities and Towns  
11 appointed by the Executive Director of the League;

12 (7) a member of the Vermont Police Association appointed by the  
13 President of the Association;

14 (8) the Attorney General or designee;

15 (9) a State's Attorney appointed by the Executive Director of the  
16 Department of State's Attorneys and Sheriffs;

17 (10) the U.S. Attorney or designee;

18 (11) the Executive Director of the Vermont Criminal Justice Training  
19 Council;

20 (12) the Defender General or designee;

1           (13) one representative of the Vermont Troopers' Association or its  
2           successor entity, elected by its membership; and

3           (14) a member of the Vermont Constables Association appointed by the  
4           President of the Association.

5           (b) The Board shall elect a chair and a vice chair, which positions shall  
6           rotate among the various member representatives. Each member shall serve a  
7           term of two years. The Board shall meet at the call of the Chair. A quorum  
8           shall consist of eight members, and decisions of the Board shall require the  
9           approval of a majority of those members present and voting.

10          (c) The Board shall undertake an ongoing formal review process of law  
11          enforcement policies and practices with a goal of developing a comprehensive  
12          approach to providing the best services to Vermonters, given monies available.  
13          The Board shall also provide educational resources to Vermonters about public  
14          safety challenges in the State.

15          (d)(1) The Board shall meet not fewer than six times a year to develop  
16          policies and recommendations for law enforcement priority needs, including  
17          retirement benefits, recruitment of officers, training, homeland security issues,  
18          dispatching, and comprehensive drug enforcement.

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



1           (b) Plan for transfer of authority.

2           (1) In accordance with subsection (a) of this section, the Department  
3           shall consult with the Enhanced 911 Board and with any interested municipal  
4           and county law enforcement entities in the State in order to propose a plan to  
5           transfer the Department's existing 911 call-taking services to such an  
6           interested law enforcement entity.

7           (2) On or before January 1, 2020, the Department shall submit its  
8           proposed plan to:

9           (A) the Senate Committees on Finance, on Government Operations,  
10           on Appropriations, and on Economic Development, Housing and General  
11           Affairs;

12           (B) the House Committees on Commerce and Economic  
13           Development, on Government Operations, on Appropriations, and on Ways  
14           and Means; and

15           (C) the Governor.

16           Sec. 18. AGENCY OF COMMERCE AND COMMUNITY

17                   DEVELOPMENT; REGIONAL PLANNING COMMISSIONS;

18                   PUBLIC SAFETY PLANNING GRANTS

19           (a) Appropriation. The sum of \$1.00 is appropriated to the Agency of  
20           Commerce and Community Development in fiscal year 2020 for the public  
21           safety planning grants to regional planning commissions described in

1 subsection (b) of this section. The Agency shall award the grants in  
2 accordance with its procedure established under the Vermont Community  
3 Development Act.

4 (b) Public safety planning grants.

5 (1) A regional planning commission may apply to the Agency for a  
6 public safety planning grant for the purpose of planning the integration,  
7 consolidation, or regionalization of public safety functions within the  
8 commission's jurisdiction. A grant shall be for a maximum of three years and  
9 shall not exceed \$1.00.

10 (2) As used in this section:

11 (A)(i) "Planning" means hiring personnel or contracting for services  
12 to determine the feasibility of or to establish the procedure to implement, or  
13 both, the integration, consolidation, or regionalization of public safety  
14 functions.

15 (ii) "Planning" does not mean implementing such integration,  
16 consolidation, or regionalization.

17 (B) "Public safety functions" means fire, police, emergency medical  
18 services, and dispatching services.

