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S.262

Introduced by Senators Ingram, Baruth, Hardy and Perchlik

Referred to Committee on

Date:

Subject: Public safety; Criminal Justice Training Council; law enforcement
data collection

Statement of purpose of bill as introduced: This bill proposes to expand the
requirements for law enforcement roadside stop data collection.

An act relating to law enforcement race data collection

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

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

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

* * *

(e)(1) On or before September 1, ~~2014~~ 2020, every State, county, and
municipal law enforcement agency shall collect roadside stop data consisting
of the following:

(A) the age, gender, and race of the driver, and each passenger, if

any;

(B) the reason for the stop;

- 1 (C) the type of search conducted, if any;
- 2 (D) the evidence or contraband located, if any; and
- 3 (E) the outcome of the stop, including whether:
- 4 (i) a written warning was issued;
- 5 (ii) a citation for a civil violation was issued;
- 6 (iii) a citation or arrest for a misdemeanor or a felony occurred; or
- 7 (iv) no subsequent action was taken; and
- 8 (v) whether force was used during the stop, and, if so:
- 9 (I) the justification made by the officer for the use of force;
- 10 (II) the type of force used;
- 11 (III) the type of resistance offered;
- 12 (IV) the impairment in the physical or psychological condition
- 13 of the subject, if any; and
- 14 (V) the injury sustained or death resulting, if any;
- 15 (F) the year of the vehicle and the state in which the vehicle is
- 16 registered;
- 17 (G) the duration of the stop; and
- 18 (H) the law enforcement officer's total years of service in law
- 19 enforcement.
- 20 (2) Law enforcement agencies shall work with the Criminal Justice
- 21 Training Council and ~~a vendor chosen by the Council~~ the Office of the

1 Attorney General with the goals of collecting uniform data, adopting uniform
2 storage methods and periods, and ensuring that data can be analyzed.
3 Roadside stop data, as well as reports and analysis of roadside stop data, shall
4 be public.

5 (3) On or before September 1, 2016 and annually thereafter, law
6 enforcement agencies shall provide the data collected under this subsection to
7 ~~the vendor chosen by the Criminal Justice Training Council under~~ the Office of
8 the Attorney General pursuant to subdivision (2) of this subsection ~~or, in the~~
9 ~~event the vendor is unable to continue receiving data under this section, to the~~
10 ~~Council~~. Law enforcement agencies shall provide the data collected under this
11 subsection in an electronic format specified by the ~~receiving entity~~ Office of
12 the Attorney General.

13 (4) The data provided pursuant to subdivision (3) of this subsection shall
14 be posted electronically in a manner that is analyzable and accessible to the
15 public on the ~~receiving agency's~~ Office of the Attorney General's website.

16 (f) Nothing in this section is intended to prohibit or impede any public
17 agency from complying with the lawful requirements of 8 U.S.C. §§ 1373 and
18 1644. To the extent any State or local law enforcement policy or practice
19 conflicts with the lawful requirements of 8 U.S.C. §§ 1373 and 1644, that
20 policy or practice is, to the extent of the conflict, abolished.

1 Sec. 2. EFFECTIVE DATE

2 This act shall take effect on July 1, 2020.