

Introduced by Committee on Judiciary

Referred to Committee on

Date:

Subject: Law enforcement; minimum training standards; fair and impartial policing

Statement of purpose of bill as introduced: This bill proposes to allow law enforcement agencies to keep information regarding citizenship and immigration status confidential to a greater extent than the model fair and impartial policing policy requires.

An act relating to fair and impartial policing

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 DATE~~A~~ COLLECTION

(a)(1) On or before March 1, 2018, every State, county, and municipal law enforcement agency and every constable who exercises law enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this title shall adopt a fair and impartial policing policy that includes, at a minimum, each component of the Criminal Justice Training Council's model fair and impartial policing policy. Such agencies and constables may include additional restrictions on agency members' communication and involvement with federal immigration authorities or communications regarding citizenship or immigration status.

Agencies and constables may not adopt a policy that allows for greater communication or involvement with federal immigration authorities than is permitted under the model policy.

(2) On or before ~~January 1~~October 1, 2018, and of every even-numbered year thereafter, the Criminal Justice Training Council, in consultation with others, including the Attorney General and the Human Rights Commission, shall review and, if necessary, update the model fair and impartial policing policy. If the policy is updated, the Council, in consultation with the Office of the Attorney General, shall follow the procedure outlined in subsection (b) of this section and shall have six months after January 1 to complete that procedure.

(b) ~~To encourage consistent fair and impartial policing practices statewide,~~ The Criminal Justice Training Council, in consultation with the Office of the Attorney General, shall review the policies of law enforcement agencies and constables required to adopt a policy pursuant to subsection (a) of this section, to ensure those policies comply with subsection (a)(1) of this section~~establish each component of the model policy on or before April 15, 2018~~. If the Council, in consultation with the Office of the Attorney General, finds that a policy does not comply with subsection (a)(1) of this section~~meet each component of the model policy~~, it shall work with the law enforcement agency or constable to bring the policy into compliance. If, after consultation with the Council and the Office of the Attorney General~~its attorney or with the Council, or with both~~, the law enforcement agency or constable fails to adopt a policy that complies with subsection (a)(1) of this section on or before July 1, 2019~~meets each component of the model policy~~, that agency or constable shall be deemed to have adopted, and shall follow and enforce, the model policy issued by the Council. A finding of compliance with subsection (a)(1) shall not constitute a finding of compliance with any other applicable law.

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(d) Annually, on ~~July~~^{April} 1, the Criminal Justice Training Council shall report to the House and Senate Committees on Judiciary regarding which departments and officers have adopted a fair and impartial policing policy and whether officers have received training on fair and impartial policing.

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