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1	S.124
2	[Sponsoring individual SGO members] move that the bill be amended as
3	follows:
4	First: By striking out Sec. 2, 20 V.S.A. § 2352 (Council membership) in its
5	entirety and inserting in lieu thereof the following;
6	Sec. 2. 20 V.S.A. § 2352 is amended to read:
7	§ 2352. COUNCIL MEMBERSHIP
8	(a)(1) The Vermont Criminal Justice Training Council shall consist of:
9	(A) the Commissioners of Public Safety, of Corrections, of Motor
10	Vehicles, and of Fish and Wildlife, and of Mental Health;
11	(B) the Attorney General;
12	(C) the Executive Director of the Department of State's Attorneys
13	and Sheriffs;
14	(D) the Executive Director of Racial Equity;
15	(E) a member of the Vermont Troopers' Association or its successor
16	entity, elected by its membership;
17	(D)(F) a member of the Vermont Police Association, elected by its
18	membership; and
19	(E)(G) five additional members appointed by the Governor.
20	(i) The Governor's appointees shall provide broad representation
21	of all aspects of law enforcement and the public in Vermont on the Council.

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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	(H) a member of the Vermont Sheriffs' Association, appointed by the
7	President of the Association:
8	(I) a law enforcement officer appointed by the President of the
9	Vermont State Employees Association;
10	(J) an employee of the Vermont League of Cities and Towns,
11	appointed by the Executive Director of the League;
12	(K) an employee of the Vermont Center for Crime Victim Services,
13	appointed by the Executive Director of the Center; and
14	(L) three public members who shall not be law enforcement officers
15	or have a spouse, parent, child, or sibling who is a law enforcement officer,
16	current legislators, or otherwise be employed in the criminal justice system,
17	one of whom shall be appointed by the Speaker of the House, one of whom
18	shall be appointed by the Senate Committee on Committees, and one of whom
19	shall be appointed by the Governor.
20	(2) A member's term shall be three years.
21	* * *

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1	(c) The <u>public</u> members of the Council <u>set forth in subdivision (a)(1)(K) of</u>
2	this section shall be entitled to receive no per diem compensation for their
3	services, but the other members of the Council shall not be entitled to such
4	compensation; provided, however, that all members of the Council shall be
5	allowed their actual and necessary entitled to receive reimbursement of
6	expenses incurred in the performance of their duties. Per diem compensation
7	and reimbursement of expenses under this subsection shall be made as
8	permitted under 32 V.S.A. § 1010 from monies appropriated to the Council.
9	* * *
10	Second: By adding a Sec. 6a to read as follows:
11	Sec. 6a. 20 V.S.A. § 2359 is added to read:
12	§ 2359. RECRUIT BASIC TRAINING CONTINGENT ON AGENCY
13	COMPLIANCE
14	(a) An agency shall be prohibited from sponsoring a recruit for basic
15	training if the agency is not in compliance with the requirements for collecting
16	roadside stop data under section 2366 of this chapter or the requirement to
17	adopt, follow, or enforce any policy required under this chapter.
18	(b) The Council shall adopt procedures to enforce the requirements of this
19	section.

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<u>Third</u> : By adding a Sec. 9a to read as follows:	
Sec. 9a. 20 V.S.A. § 2368 is added to read:	
§ 2368. STATEWIDE POLICY; REQUIRED USE OF BODY C	CAMERAS
(a) On or before January 1, 2022, each law enforcement agence	cy shall adopt,
follow, and enforce the Model Body Worn Camera (BWC) Policy	y established
by the Law Enforcement Advisory Board pursuant to 2016 Acts a	and Resolves
No. 163, and each law enforcement officer shall comply with the	provisions of
that policy.	
(b) The Council shall incorporate the provisions of this section	n into basic
and annual in-service training.	
Fourth: In Sec. 10, 20 V.S.A. chapter 151, subchapter 2 (Cour	ncil;
unprofessional conduct), by striking out in its entirety § 2403 (lav	v enforcement
agencies; duty to report) and inserting in lieu thereof the following	g:
§ 2403. LAW ENFORCEMENT AGENCIES; DUTY TO REPO	RT
(a)(1) The executive officer of a law enforcement agency or the	ne chair of the
agency's civilian review board shall report to the Council within	10 business
days if any of the following occur in regard to a law enforcement	officer of the
agency:	

(A) Category (A).

(i) There is a finding of probable cause by a court that the officer committed Category A conduct.

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1	(ii) There is any decision or findings of fact or verdict regarding
2	allegations that the officer committed Category A conduct, including a judicial
3	decision and any appeal therefrom.
4	(B) Category B.
5	(i) The agency receives a <u>credible</u> complaint against the officer
6	that, if deemed credible by the executive officer of the agency as a result of a
7	valid investigation, alleges that the officer committed Category B conduct.
8	(ii) The agency receives or issues any of the following:
9	(I) a report or findings of a valid investigation finding that the
10	officer committed Category B conduct; or
11	(II) any decision or findings, including findings of fact or
12	verdict, regarding allegations that the officer committed Category B conduct,
13	including a hearing officer decision, arbitration, administrative decision, or
14	judicial decision, and any appeal therefrom.
15	(C) Termination. The agency terminates the officer for Category A
16	or Category B conduct.
17	(D) Resignation. The officer resigns from the agency while under
18	investigation for unprofessional conduct.
19	(2) As part of his or her report, the executive officer of the agency or the
20	chair of the civilian review board shall provide to the Council a copy of any

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1	relevant documents associated with the report, including any findings,
2	decision, and the agency's investigative report.
3	(b) The Council shall provide a copy of any report and the relevant
4	documents provided with it to the Council Advisory Committee, which shall
5	recommend any appropriate action to take in regard to a law enforcement
6	officer who is the subject of that report.
7	(c) The Executive Director of the Council shall report to the Attorney
8	General and the State's Attorney of jurisdiction any allegations that an officer
9	committed Category A conduct.
10	<u>Fifth</u> : By adding a Sec. 10a to read as follows:
11	Sec. 10a. LAW ENFORCEMENT RECOMMENDATIONS
12	In order to further the goal of defining law enforcement officers not as
13	warriors but as community guardians, the following entities shall report to the
14	Senate and House Committees on Government Operations on or before
15	January 15, 2021 on their progress in regard to the following topics, including
16	any recommendations for legislative action:
17	(1) Law enforcement officer qualifications.
18	(A) The Law Enforcement Advisory Board shall recommend
19	statewide standards for interviewing and hiring new law enforcement officers

in order to recognize applicant qualities that are desirable and those that are

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1	not. The Board shall specifically recommend standards that should apply to
2	officers in a supervisory role.
3	(B) The Criminal Justice Training Council (Council) shall consult
4	with the Human Rights Commission, ACLU, and other relevant organizations
5	in reviewing the current law enforcement recruit written, oral, and
6	psychological examinations for cultural sensitivities and appropriateness.
7	(2) Law enforcement officer training.
8	(A) The Council, in consultation with the Racial Disparities in the
9	Criminal and Juvenile Justice System Advisory Panel, Human Rights
10	Commission, ACLU, and other relevant stakeholders, shall review the current
11	requirements for basic and annual in-service training in order to determine
12	whether appropriate training is provided in the areas of cultural awareness,
13	implicit bias, de-escalation, and mental health conditions, and whether that
14	training is embedded into training on other policing policies such as traffic
15	stops and searches.
16	(B) In consideration of its analysis in subdivision (A) of this
17	subdivision (2), and in reviewing officers' current training requirements and
18	how that training is used in practice, the Council shall recommend any
19	amendments to statutorily-required training that may not be necessary for all
20	officers.

1	(C) The Council, Law Enforcement Advisory Board, and Department
2	of Public Safety shall consult with the Vermont League of Cities and Towns
3	and other interested stakeholders to determine whether:
4	(i) the Council should be reestablished within a State agency or
5	other oversight entity;
6	(ii) the Police Academy should be relocated to a different area of
7	the State;
8	(iii) there should be more flexibility in the residential and field
9	training required of recruits, including whether recruits should be able to
10	satisfy some aspects of basic training through an internship with outside
11	entities such as a mental health agency.
12	(3) Regional civilian review boards. The Office of Attorney General
13	shall consult with the Council, Human Rights Commission, and other
14	interested parties to recommend the manner in which regional civilian review
15	boards could be appointed to oversee the discipline imposed on a law
16	enforcement officer by the officer's agency or the sanctions the Council
17	imposes on an officer's certification, or both, and the recommended powers
18	and duties of such a board.
19	(4) Reporting allegations of law enforcement misconduct. The Office of
20	Attorney General shall consult with the Council, Human Rights Commission,
21	ACLU, and other interested parties in order to identify a central point for

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1	reporting allegations of law enforcement officer misconduct, which may be the
2	Council or another entity, and how those allegations should be handled.
3	(5) Access to complaint information. The Council shall consult with the
4	ACLU and interested media associations in reviewing the public records
5	request policy related to allegations of law enforcement officer misconduct and
6	substantiations of those allegations in order to recommend any changes to
7	current practice.
8	(6) Body cameras.
9	(A)(i) The Law Enforcement Advisory Board shall report any
10	changes it deems necessary to the Model Body Worn Camera (BWC) Policy
11	that it established pursuant to 2016 Acts and Resolves No. 163.
12	(ii) After consulting with the ACLU and interested media
13	associations, the Board shall specifically recommend policies for responding to
14	public records requests for body camera footage, including any recommended
15	timelines to respond and how and what footage should be redacted.
16	(B) The Department of Public Safety shall consult with the Law
17	Enforcement Advisory Board to investigate the possibility of a statewide group
18	purchasing contract for law enforcement body cameras and of central storage
19	locations. If the Department recommends such a group, it shall detail its
20	recommended structure and operation.

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- 1 (7) Military equipment. The Law Enforcement Advisory Board shall
- 2 recommend a statewide policy on law enforcement officers' use of military
- 3 <u>equipment.</u>