

1 Introduced by Senators Campion and Sears
2 Referred to Committee on
3 Date:
4 Subject: Crimes; hate crimes; standardized reporting; data collection
5 Statement of purpose of bill as introduced: This bill proposes to 1) expand the
6 authority of the Attorney General to investigate bias-motivated incidents and
7 enforce civil penalties; 2) create a working group to establish a system of
8 uniform reporting of bias-motivated incidents; 3) require minimum training
9 standards for law enforcement officers to include trainings on hate crimes and
10 bias incidents; and 4) require the Attorney General to report annually to the
11 General Assembly on hate crimes and bias incidents.

12 An act relating to hate crimes and bias-motivated incidents

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

14 Sec. 1. 13 V.S.A. § 1466 is amended to read:

15 § 1466. CIVIL PENALTIES; ENFORCEMENT

16 (a) The Attorney General may seek the imposition of a civil penalty of not
17 more than \$5,000.00, plus costs and reasonable attorney's fees for each
18 violation of section 1455 or 1456 of this title, including violations of any
19 injunction issued pursuant to this chapter.

1 (b) The Attorney General or a State's Attorney may investigate alleged or
2 suspected violations of this chapter and chapter 31 of this title by utilizing the
3 same civil investigation methods and standards established in 9 V.S.A. § 2460
4 for investigating alleged or suspected unfair acts of commerce.

5 Sec. 2. BIAS INCIDENT REPORTING WORKING GROUP; REPORT

6 (a) Working group. A bias incident reporting working group is created to
7 analyze issues involving the uniform reporting of bias-motivated incidents
8 among all law enforcement agencies or entities.

9 (b) Membership. The working group shall consist of a representative from:

- 10 (1) the State's Attorneys and Sheriffs;
11 (2) the Office of the Attorney General;
12 (3) the Association of Chiefs of Police;
13 (4) the Criminal Justice Training Council;
14 (5) the Vermont State Police; and
15 (6) the Department of Public Safety.

16 (c) Duties.

17 (1) The working group shall establish a method to standardize the
18 system of reporting bias-motivated incidents in Vermont, including how to
19 consistently code such incidents, ensure accurate data about such incidents is
20 collected and tracked, and standardize referrals for such incidents to
21 appropriate law enforcement or community-based entities.

1 (2) The working group shall report on its findings and specific
2 recommendations for any legislative action to the Joint Legislative Justice
3 Oversight Committee on or before December 1, 2019.

4 Sec. 3. 20 V.S.A. § 2358 is amended to read:

5 * * *

6 (e)(1) The criteria for all minimum training standards under this section
7 shall include hate crime, bias incident, and anti-bias training approved by the
8 Vermont Criminal Justice Training Council and the Attorney General and
9 training on the State, county, or municipal law enforcement agency's fair and
10 impartial policing policy, adopted pursuant to subsection 2366(a) of this title.

11 (2) On or before December 31, ~~2018~~ 2019, law enforcement officers
12 shall receive a minimum of four hours of training as required by this
13 subsection.

14 (3) In order to remain certified, law enforcement officers shall receive a
15 refresher course on the training required by this subsection during every odd-
16 numbered year in a program approved by the Vermont Criminal Justice
17 Training Council and the Attorney General.

18 (4) The Criminal Justice Training Council shall, on an annual basis,
19 report to the Racial Disparities in the Criminal and Juvenile Justice System
20 Advisory Panel regarding:

1 (A) the adoption and implementation of the Panel’s recommended
2 data collection methods and trainings and policies pursuant to 3 V.S.A.
3 § 168(f)(2) and (3);

4 (B) the incorporation of implicit bias training into the requirements of
5 basic training pursuant to this subsection; and

6 (C) the implementation of all trainings as required by this subsection.

7 Sec. 4. OFFICE OF THE ATTORNEY GENERAL; REPORT

8 On or before January 15, 2020, and annually thereafter, the Office of the
9 Attorney General shall submit a report to the House and Senate Committees on
10 Judiciary on:

11 (1) the number of criminal charges filed for a violation 13 V.S.A.
12 §§ 1455-1456, the nature of the underlying crime, the disposition of those
13 charges, and whether a hate-motivated crime injunction was sought or issued
14 in connection with the underlying crime;

15 (2) the number of bias-motivated incidents referred to law enforcement
16 or an appropriate community-based entity; and

17 (3) a review of the training program designed to educate law
18 enforcement officers about investigating hate-motivated crimes and bias
19 related incidents.

20 Sec. 5. EFFECTIVE DATE

21 This act shall take effect on passage.