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S.219

Senator Ingram moves that the bill be amended by striking out Sec. 3, 20 V.S.A. § 2366, in its entirety and inserting in lieu thereof the following:

Sec. 3. 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;

(C) the type of search conducted, if any;

(D) the evidence or contraband located, if any; and

(E) the outcome of the stop, including whether:

(i) a written warning was issued;

(ii) a citation for a civil violation was issued;

(iii) a citation or arrest for a misdemeanor or a felony occurred; or

(iv) no subsequent action was taken; and

(v) whether force was used during the stop, and, if so:

- 1                    (I) the justification made by the officer for the use of force;  
2                    (II) the type of force used;  
3                    (III) the type of resistance offered;  
4                    (IV) the impairment in the physical or psychological condition  
5 of the subject, if any; and  
6                    (V) the injury sustained or death resulting, if any;  
7                    (F) the year of the vehicle and the state in which the vehicle is  
8 registered;  
9                    (G) the duration of the stop; and  
10                   (H) the law enforcement officer’s total years of service in law  
11 enforcement.

12                    (2) Law enforcement agencies shall work with the Criminal Justice  
13 Training Council, the Executive Director of Racial Equity, and ~~a vendor~~  
14 ~~chosen by the Council~~ the Office of the Attorney General with the goals of  
15 collecting uniform data, adopting uniform storage methods and periods, and  
16 ensuring that data can be analyzed. Roadside stop data, as well as reports and  
17 analysis of roadside stop data, shall be public.

18                    (3) On or before September 1, 2016 and annually thereafter, law  
19 enforcement agencies shall provide the data collected under this subsection to  
20 ~~the vendor chosen by the Criminal Justice Training Council under the~~  
21 Executive Director of Racial Equity and the Office of the Attorney General

1 ~~pursuant to~~ subdivision (2) of this subsection ~~or, in the event the vendor is~~  
2 ~~unable to continue receiving data under this section, to the Council.~~ Law  
3 enforcement agencies shall provide the data collected under this subsection in  
4 an electronic format specified by the ~~receiving entity~~ Office of the Attorney  
5 General.

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

9 (f) Nothing in this section is intended to prohibit or impede any public  
10 agency from complying with the lawful requirements of 8 U.S.C. §§ 1373 and  
11 1644. To the extent any State or local law enforcement policy or practice  
12 conflicts with the lawful requirements of 8 U.S.C. §§ 1373 and 1644, that  
13 policy or practice is, to the extent of the conflict, abolished.