

1

H.482

2 An act relating to Vermont Criminal Justice Council recommendations for
3 law enforcement officer training

4 The Senate proposes to the House to amend the bill by striking out all after
5 the enacting clause and inserting in lieu thereof the following:

6 * * * Fair and Impartial Policing Training; Advanced Roadside Impaired

7 Driving Enforcement Training * * *

8 Sec. 1. PURPOSE

9 The purpose of this act is, in part, to amend the laws of Vermont regarding
10 law enforcement officer training to emphasize achieving increased competency
11 over prescribed minimum hours of training in fair and impartial policing. The
12 change to a focus on skills and competency is meant to align with the goals of
13 increasing transparency and accountability to historically stigmatized
14 communities.

15 Sec. 2. 20 V.S.A. § 2358 is amended to read:

16 § 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

17 * * *

18 (e)(1) The criteria for all minimum training standards under this section
19 shall include anti-bias training approved by the Vermont Criminal Justice
20 Council and training on the State, county, or municipal law enforcement

1 agency's fair and impartial policing policy, adopted pursuant to subsection
2 2366(a) of this title.

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

5 [Repealed.]

6 (3) In order to remain certified, law enforcement officers shall receive a
7 refresher course on the training required by this subsection during every odd-
8 numbered year in a program approved by the Vermont Criminal Justice
9 Council designed to demonstrate achieved law enforcement officer
10 competency in fair and impartial policing.

11 * * *

12 (f) ~~The criteria for all minimum training standards under this section shall~~
13 ~~include Advanced Roadside Impaired Driving Enforcement training as~~
14 ~~approved by the Vermont Criminal Justice Council. On or before December~~
15 ~~31, 2021, law enforcement officers shall receive a minimum of 16 hours of~~
16 ~~training as required by this subsection. [Repealed.]~~

17 * * *

18 Sec. 3. FAIR AND IMPARTIAL POLICING TRAINING; REPORT

19 On or before January 15, 2024, the Vermont Criminal Justice Council shall
20 report to the House Committee on Government Operations and Military
21 Affairs and the Senate Committee on Government Operations on its efforts to

1 update and implement fair and impartial policing training and whether the
2 integrity of training standards has been maintained in the transition from using
3 improved competency rather than fixed hours of training as a measure of
4 completed training. The report shall describe how competency is being
5 measured in fair and impartial policing and include precise metrics.

6 Sec. 4. 20 V.S.A. § 2355 is amended to read:

7 § 2355. COUNCIL POWERS AND DUTIES

8 (a) The Council shall adopt rules with respect to:

9 * * *

10 (13) Advanced Roadside Impaired Driving Enforcement training
11 programs and requirements for Levels I, II, and III law enforcement
12 certification, including minimum hours of training, prerequisites, and time
13 periods for completion.

14 * * *

15 * * * Roadside Stop Data Collection * * *

16 Sec. 5. 20 V.S.A. § 2366 is amended to read:

17 § 2366. LAW ENFORCEMENT AGENCIES; FAIR AND IMPARTIAL

18 POLICING POLICY; RACE DATA COLLECTION

19 * * *

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

4 (A) the age, gender, and race of the driver;

5 (B) the grounds for the stop;

6 (C) the grounds for the search and the type of search conducted, if
7 any;

8 (D) the evidence located, if any;

9 (E) the date, time, and location of the stop; and

10 (F) the outcome of the stop, including whether physical force was
11 employed or threatened during the stop; and, if so, the type of force employed
12 and whether the force resulted in bodily injury or death, and whether:

13 * * *

14 * * * Duty to Contact Current or Former Agencies When Hiring Law

15 Enforcement Officer * * *

16 Sec. 6. 20 V.S.A. § 2362a is amended to read:

17 § 2362a. POTENTIAL HIRING AGENCY; DUTY TO CONTACT

18 CURRENT OR FORMER ~~AGENCY~~ AGENCIES

19 (a)(1) Prior to hiring a law enforcement officer, the executive officer of a
20 potential hiring law enforcement agency shall:

1 (A) require that officer to execute a written waiver that explicitly
2 authorizes ~~the officer's~~:

3 (i) the officer's current law enforcement agency employer to
4 disclose its analysis of the officer's performance at that agency, if the officer is
5 still employed at that agency; or

6 (ii) ~~last any previous~~ law enforcement agency ~~employer~~ employers
7 to disclose their analysis of the officer's performance at that agency and the
8 reason that officer is no longer employed by that agency, ~~if~~ regardless of
9 whether or not the officer is ~~not~~ currently employed at an agency; and

10 (B) contact ~~that agency~~ all known previous law enforcement agencies
11 to obtain ~~that disclosure~~ the disclosures described in subdivisions (A)(i) and
12 (ii) of this subdivision (1) and provide to that the previous law enforcement
13 agency a copy of ~~that~~ the officer's written waiver.

14 (2) An officer who refuses to execute the written waiver shall not be
15 hired by the potential hiring agency.

16 * * *

17 * * * Rule Adoption Deadline Modification * * *

18 Sec. 7. REPEAL

19 2020 Acts and Resolves No. 166, Sec. 8(b) (Rules) is repealed.

1 Sec. 8. RULE ADOPTION DEADLINE

2 On or before July 1, 2025, the Vermont Criminal Justice Council shall
3 adopt the rules regarding alternate routes to the certification required by
4 20 V.S.A. § 2355(a)(1).

5 * * * Effective Date * * *

6 Sec. 9. EFFECTIVE DATE

7 This act shall take effect on passage.