

TPD; 2/10/23

HGOMA Committee Bill 23-0907:

**An act relating to miscellaneous changes to law enforcement officer training laws
 (“Domestic Violence Fatality Review Commission recommendations”)**

This bill implements recommendations from the [Domestic Violence Fatality Review Commission 2022 report](#). These recommendations would be incorporated into [Title 20 \(Internal Security and Public Safety\), Chapter 151 \(Vermont Criminal Justice Council\)](#).

*** Domestic Violence Involving Law Enforcement Model Policy ***

Sec. 1 amends [20 V.S.A. § 2365](#) (the section heading will now read “Domestic Violence Training; Domestic Violence Involving Law Enforcement Model Policy.”) and will require law enforcement agencies and ‘constables who exercise law enforcement authority’ to adopt the 2010 Domestic Violence Involving Law Enforcement Model Policy and any future updates to the Policy.

- Note: [Here is a link](#) to the Model Policy as posted on the Vermont Law Enforcement Advisory Board’s webpage.

Sec. 2 is session law and will require the Vermont Law Enforcement Advisory Board to update the Domestic Violence Involving Law Enforcement Model Policy by January 1, 2025, to reflect various DVFRC recommendations.

- Note: the Vermont Law Enforcement Advisory Board is codified in [20 V.S.A. § 1818](#). More information about the Board can be found on its [webpage](#).

*** Officer Misconduct and Transparency of Information ***

Sec. 3 amends [20 V.S.A. § 2401](#) (Definitions [for LEO certification and VCJC structure]) to 1) include the issuance of a “relief from abuse order” as Category A conduct, and 2) include a violation of the ‘Domestic Violence by Law Enforcement Model’ Policy as Category B conduct. For reference, Category A conduct is namely felonies and certain misdemeanors, and Category B conduct is various types of gross professional misconduct.

- Note: A “relief from abuse order” is essentially a restraining order. Vermont law provides protection from abuse in families and other close relationships, including in dating, marriage, and civil unions, and for both adults and minors. “Relief from abuse orders” and the surrounding hearing processes are described in [15 V.S.A. § 1103](#). Additional relevant definitions can be found in [15 V.S.A. § 1101](#).

Sec. 4 amends [20 V.S.A. § 2409 \(Accessibility and Confidentiality\)](#) and will require the Vermont Criminal Justice Council to collect and annually report aggregate data regarding domestic and sexual violence and complaints of Category A and B conduct resulting in the filing of charges or stipulations or the taking of disciplinary action.