

1 Introduced by the Committee on Government Operations and Military Affairs

2 Date:

3 Subject: Internal security and public safety; Vermont Criminal Justice Council;
4 law enforcement officer training

5 Statement of purpose of bill as introduced: This bill proposes to repeal the
6 fixed hours of training required for Fair and Impartial Policing Training. It
7 will repeal the Advanced Roadside Impaired Driving Enforcement training
8 requirements and direct the Vermont Criminal Justice Council to adopt rules
9 pertaining to Advanced Roadside Impaired Driving Enforcement training
10 requirements. The bill will require law enforcement agencies to collect data
11 for the date, time, and location of roadside stops. It will require an executive
12 law enforcement officer when hiring a law enforcement officer to contact all of
13 the applicant's former law enforcement agencies. The bill will extend the
14 deadline for the Vermont Criminal Justice Council to adopt rules regarding
15 alternate routes to law enforcement officer certification.

16 An act relating to Vermont Criminal Justice Council recommendations for
17 law enforcement officer training

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

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* * * Fair and Impartial Policing Training; Advanced Roadside Impaired
Driving Enforcement Training * * *

Sec. 1. PURPOSE

The purpose of this act is, in part, to amend the laws of Vermont regarding law enforcement officer training to emphasize achieving increased competency over prescribed minimum hours of training in fair and impartial policing.

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

§ 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

* * *

(e)(1) The criteria for all minimum training standards under this section shall include anti-bias training approved by the Vermont Criminal Justice Council and training on the State, county, or municipal law enforcement agency’s fair and impartial policing policy, adopted pursuant to subsection 2366(a) of this title.

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[Repealed.]

(3) In order to remain certified, law enforcement officers shall receive a refresher course on the training required by this subsection during every odd-numbered year in a program approved by the Vermont Criminal Justice

1 Council designed to demonstrate achieved law enforcement officer
2 competency in fair and impartial policing.

3 * * *

4 (f) ~~The criteria for all minimum training standards under this section shall~~
5 ~~include Advanced Roadside Impaired Driving Enforcement training as~~
6 ~~approved by the Vermont Criminal Justice Council. On or before December~~
7 ~~31, 2021, law enforcement officers shall receive a minimum of 16 hours of~~
8 ~~training as required by this subsection. [Repealed.]~~

9 * * *

10 Sec. 3. 20 V.S.A. § 2355 is amended to read:

11 20 V.S.A. § 2355. COUNCIL POWERS AND DUTIES

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

13 * * *

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

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1 * * * Roadside Stop Data Collection * * *

2 Sec. 4. 20 V.S.A. § 2366 is amended to read:

3 § 2366. LAW ENFORCEMENT AGENCIES; FAIR AND IMPARTIAL
4 POLICING POLICY; RACE DATA COLLECTION

5 * * *

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

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

10 (B) the grounds for the stop;

11 (C) the grounds for the search and the type of search conducted, if
12 any;

13 (D) the evidence located, if any;

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

15 (F) the outcome of the stop, including whether physical force was
16 employed or threatened during the stop, and if so, the type of force employed
17 and whether the force resulted in bodily injury or death, and whether:

18 * * *

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

2 Enforcement Officer * * *

3 Sec. 5. 20 V.S.A. § 2362a is amended to read:

4 § 2362a. POTENTIAL HIRING AGENCY; DUTY TO CONTACT

5 CURRENT OR FORMER ~~AGENCY~~ AGENCIES

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

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

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

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

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

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

3 * * *

4 * * * Rule Adoption Deadline Modification * * *

5 Sec. 6. REPEAL

6 2020 Acts and Resolves No. 166, Sec. 8(b) (Rules) is repealed.

7 Sec. 7. RULE ADOPTION DEADLINE

8 Not later than July 1, 2025, the Vermont Criminal Justice Council shall
9 finally adopt the rules regarding alternate routes to the certification required by
10 20 V.S.A. § 2355(a)(1).

11 * * * Effective Date * * *

12 Sec. 8. EFFECTIVE DATE

13 This act shall take effect on passage.