

10 An act relating to standards for law enforcement identification

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

12 Sec. 1. SHORT TITLE

13 This act may be cited as the “No Secret Police Act.”

14 Sec. 2. 20 V.S.A. § 2373 is added to read:

15 § 2373. STANDARDS FOR LAW ENFORCEMENT IDENTIFICATION

16 (a) Legislative intent.

17 (1) It is the intent of the General Assembly to exercise the power

18 granted to Vermont by the 10th Amendment to the U.S. Constitution to prot

19 the health, safety, and welfare of its residents and law enforcement officers

20 present in the State by codifying standards for law enforcement identification

1 (2) Community safety requires trust in law enforcement, which is
2 undermined when armed masked agents disrupt and kidnap members of the
3 community without warning, warrant, or identification. By codifying
4 standards for law enforcement identification, it is the intent of the General
5 Assembly to promote transparency and accountability and to reduce the risk of
6 conflict escalation, thereby enhancing the safety of both officers and members
7 of the public.

8 (b) Definitions. As used in this section:

9 (1) “Law enforcement agency” has the same meaning as in section
10 2351a of this title.

11 (2) “Law enforcement officer” has the same meaning as in section
12 2351a of this title and includes any officer of a federal law enforcement agency
13 or any person acting on behalf of a local, state, or federal law enforcement
14 agency.

15 (3) “Mask” means a facial covering that conceals or obscures the facial
16 identity of an individual, including garments, helmets, and headgear, such as
17 balaclavas, tactical masks, gators, and ski masks.

18 (c) Identification requirements.

19 (1) A law enforcement officer shall be clearly identified by the officer’s
20 agency and by the officer’s name or badge number, or both, on the officer’s
21 uniform.

1 (2) A law enforcement officer shall not wear any mask or personal
2 disguise while interacting with the public in the performance of the officer's
3 duties.

4 (3) Notwithstanding subdivision (2) of this subsection, a law
5 enforcement officer in the performance of the officer's duties may wear the
6 following:

7 (A) a medical-grade mask that is surgical;
8 (B) an N95 respirator designed to prevent the transmission of
9 airborne diseases;
10 (C) a mask designed to protect against exposure to smoke during a
11 fire-involved situation;
12 (D) a mask, helmet, or device, such as a self-contained breathing
13 apparatus, necessary to perform duties during a water rescue operation;
14 (E) a mask related to protection against exposure to biological or
15 chemical agents during an incident where these agents may be present;
16 (F) a mask designed to protect against exposure to cold during a
17 declared weather emergency;
18 (G) a motorcycle helmet when utilizing a motorcycle or other vehicle
19 that requires a helmet for safe operation; or
20 (H) eyewear necessary to protect against the use of retinal weapons,
21 such as lasers.

1 (4) Notwithstanding subdivision (2) of this subsection, the following is
2 permitted:

3 (A) Tactical Services Unit (TSU) team officers may use gear
4 necessary to protect their faces from physical harm while performing TSU
5 responsibilities.

6 (B) Law enforcement officers who participate in lawful active
7 undercover drug-related operations or assignments may use a mask or a
8 personal disguise when necessary to perform such operations or assignments.

9 (d) Policy. Any law enforcement agency operating in the State shall
10 develop, distribute to all personnel, and publicly post a written policy on the
11 identification requirements of this section. The policy shall include, at a
12 minimum, the following:

13 (1) a requirement that all law enforcement officers shall visibly display
14 identification that includes their agency and their name or badge number while
15 interacting with the public in the performance of the officer's duties; and

16 (2) a narrowly tailored exception for undercover assignments pursuant
17 to subdivision (c)(4)(B) of this section.

18 (e) Penalty. A law enforcement officer who violates subsection (c) of this
19 section shall be imprisoned not more than one year or fined not more than
20 \$1,000.00, or both.

1 (f) Remedies.

2 (1) A law enforcement officer who violates this section and knowingly
3 and willfully arrests or assists with an arrest may be liable in a civil action for
4 false imprisonment.

5 (2) An individual who is arrested by a law enforcement officer in
6 violation of this section may bring a civil action against the violator for:

7 (A) monetary damages;
8 (B) injunctive, equitable, or declaratory relief;
9 (C) punitive damages; and
10 (D) reasonable costs and attorney's fees.

11 (3) The Attorney General may bring a civil action on behalf of the State
12 for appropriate injunctive, equitable, or declaratory relief if there is reasonable
13 cause to believe that a violation of this section has occurred or will occur.

14 Sec. 3. EFFECTIVE DATE

15 This act shall take effect on July 1, 2026.