

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 171
3 entitled “An act relating to Attorney General investigations into a law
4 enforcement officer’s use of a firearm” respectfully reports that it has
5 considered the same and recommends that the bill be amended by striking out
6 all after the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. OFFICER-INVOLVED SHOOTING PROTOCOL

8 (a) The Attorney General’s Office (AGO), the Department for State’s
9 Attorneys and Sheriffs (DSAS), the Department of Public Safety, and the
10 Vermont Association of Chiefs of Police shall work collaboratively to identify
11 a protocol and best practices for independent investigations of an officer-
12 involved shooting (OIS) in Vermont.

13 (b) A protocol for interagency cooperation in officer-involved shootings
14 shall:

15 (1) define “officer-involved shooting” and what types of incidents
16 trigger an investigation;

17 (2) define “conflict of interest” and identify the appropriate steps to
18 manage any conflicts for law enforcement and prosecutors;

19 (3) delineate the process for informing the AGO and DSAS of an OIS;

20 (4) identify the general steps for law enforcement investigations into an
21 OIS;

1 (5) describe the process for prosecutorial assessment of the investigative
2 materials, including dual independent assessments;

3 (6) evaluate the process of investigation and prosecutorial review of
4 officer-involved shootings to ensure timely criminal charging determinations,
5 and identify and address existing barriers to timely criminal charging
6 determinations; and

7 (7) outline the final outcome to an investigation and assessment of an
8 OIS such as clearing a law enforcement officer or filing criminal charges.

9 (c) To inform their efforts to develop a protocol, the entities shall examine
10 other jurisdictions' protocols for OIS to determine best practices.

11 (d) On or before December 1, 2026, the entities shall submit one written
12 report to the House and Senate Committees on Judiciary detailing their work,
13 an agreed-upon protocol for OIS, and any legislative changes necessary,
14 including appropriations, to effectuate the protocol.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.

17 and that after passage the title of the bill be amended to read: “An act
18 relating to criminal justice agency protocols for an officer-involved shooting”

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1 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE