

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 208
3 entitled “An act relating to standards for law enforcement identification”
4 respectfully reports that it has considered the same and recommends that the
5 bill be amended by striking out all after the enacting clause and inserting in
6 lieu thereof the following:

7 Sec. 1. 20 V.S.A. § 2373 is added to read:

8 § 2373. STANDARDS FOR LAW ENFORCEMENT IDENTIFICATION

9 (a) Legislative intent. It is the intent of the General Assembly to exercise
10 the power of Vermont, as recognized by the 10th Amendment to the U.S.
11 Constitution, to protect the health, safety, and welfare of its residents and law
12 enforcement officers present in the State by codifying standards for law
13 enforcement identification.

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

15 (1) “Law enforcement agency” has the same meaning as in section
16 2351a of this title.

17 (2) “Law enforcement officer” has the same meaning as in section
18 2351a of this title and includes any officer of a federal law enforcement agency
19 or any person acting on behalf of a local, state, or federal law enforcement
20 agency.

1 (c) Identification requirements.

2 (1) A law enforcement officer shall be clearly identified by:

3 (A) the officer’s name or the officer’s unique radio or badge number
4 visibly displayed on the officer’s person; and

5 (B) the officer’s agency visibly displayed on the officer’s person.

6 (2) A law enforcement officer shall not wear any mask or personal
7 disguise while physically interacting with the public in the performance of the
8 officer’s duties.

9 (3) Notwithstanding subdivision (2) of this subsection, a law
10 enforcement officer may wear:

11 (A) an N95 respirator or medical grade mask worn with the intent to
12 prevent the transmission of airborne diseases;

13 (B) a mask designed to protect against exposure to smoke during a
14 fire-involved situation;

15 (C) a mask necessary to perform duties during a water rescue
16 operation;

17 (D) a mask related to protection against exposure to biological or
18 chemical agents during an incident where these agents may be present; or

19 (E) a mask designed to protect against exposure to cold between
20 December 1 and April 1 when the National Weather Service is forecasting a

1 duration of cold weather at or below -10 degrees Fahrenheit, which includes
2 wind chill.

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

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

8 (B) Law enforcement officers working with or in conjunction with
9 the Vermont Drug Task Force who participate in active undercover drug-
10 related operations or assignments may use a personal disguise when necessary
11 to perform such operations or assignments.

12 (C) Law enforcement officers who participate in active undercover
13 investigations relating to child sexual exploitation may use a personal disguise
14 when necessary to perform such investigations.

15 (d) Statewide policy. On or before January 1, 2027, the Vermont Criminal
16 Justice Council shall establish a statewide policy governing the standards for
17 law enforcement identification applicable to Vermont law enforcement
18 agencies to ensure consistent statewide application of the standards.

19 (e) Penalty. A law enforcement officer who violates subsection (c) of this
20 section shall be:

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(Committee vote: _____)

Senator _____

FOR THE COMMITTEE