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S.219

Senators Baruth, Benning, Nitka, Sears, and White move that the bill be amended as follows:

First: By inserting a new Sec. A.1 (legislative intent) as follows:

Sec. A.1. LEGISLATIVE INTENT

(a) This act is a continuation of the General Assembly’s work over the past several years to create meaningful reforms to address systemic racism and disproportionate use of force by law enforcement in Vermont. Such reforms include 2017 Act No. 54, an act relating to the Racial Disparities in the Criminal and Juvenile Justice System Advisory Panel, 2018 Act No. 9, an act relating to racial equity in State government, 2013 Act No. 180, an act relating to a statewide policy on the use of and training requirements for electronic control devices, 2016 Act No. 163, an act relating to a model State policy for use of body cameras by law enforcement officers, and 2017 Act No. 56, an act relating to the professional regulation of law enforcement officers by the Vermont Criminal Justice Training Council. The ongoing effort includes the work on S.338 (2020), an act relating to justice reinvestment, a data-driven approach to improve public safety, reduce criminal justice spending, and reinvest savings in strategies that can decrease crime and reduce recidivism. Additionally, several legislative committees continue to study law enforcement policies, training standards, and discipline, including work on updating a

1 model policy for the use of body cameras. Therefore, this act represents one  
2 step in the legislature’s ongoing effort to combat racial bias and increase  
3 accountability in policing.

4 (b) It is the intent of the General Assembly that law enforcement agencies  
5 in Vermont use community policing strategies that develop collaborative  
6 partnerships between law enforcement and communities, adopt policies and  
7 practices that reflect a guardian mindset towards the citizens they serve, and  
8 establish a culture of transparency and accountability to promote public safety  
9 and foster public trust. To this end, it is the intent of the General Assembly  
10 that law enforcement use de-escalation strategies first and foremost before  
11 using force in every community-police interaction.

12 Second: In Sec. 5, 13 V.S.A. § 1032, by striking out subsection (c) in its  
13 entirety and inserting in lieu thereof the following:

14 (c) Justifiable homicide pursuant to subdivision 2305(3) of this title shall  
15 not be a defense to a prosecution under this section.