

1 Introduced by Senators Campion and Sears
2 Referred to Committee on
3 Date:
4 Subject: Crimes; hate crimes; standardized reporting; data collection
5 Statement of purpose of bill as introduced: This bill proposes to 1) expand the
6 authority of the Attorney General to investigate bias-motivated incidents and
7 enforce civil penalties; 2) create a working group to establish a system of
8 uniform reporting of bias-motivated incidents; 3) require minimum training
9 standards for law enforcement officers to include trainings on hate crimes and
10 bias incidents; and 4) require the Attorney General to report annually to the
11 General Assembly on hate crimes and bias incidents.

12 An act relating to hate crimes and bias-motivated incidents

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

14 Sec. 1. 13 V.S.A. § 1466 is amended to read:

15 § 1466. CIVIL PENALTIES; ENFORCEMENT

16 (a) The Attorney General may seek the imposition of a civil penalty of not
17 more than \$5,000.00, plus costs and reasonable attorney's fees for each
18 violation of section 1455 or 1456 of this title, including violations of any
19 injunction issued pursuant to this chapter.

1 (b) The Attorney General or a State’s Attorney may investigate alleged or
2 suspected violations of this chapter and chapter 31 of this title by utilizing the
3 same civil investigation methods and standards established in 9 V.S.A. § 2460
4 for investigating alleged or suspected unfair acts of commerce.

5 Sec. 2. BIAS INCIDENT REPORTING WORKING GROUP; REPORT

6 (a) Working group. A bias incident reporting working group is created to
7 analyze how to appropriately intake, respond to, and report on bias-motivated
8 incidents consistently among all law enforcement agencies or entities. The
9 goal of the group shall be to ensure that:

10 (1) from each point of contact with the law enforcement, victims or
11 communities impacted by bias motivated incidents receive appropriate law
12 enforcement response; and

13 (2) data regarding these bias-motivated incidents is consistently
14 collected and reported.

15 (b) Membership. The working group shall consist of a representative from:

16 (1) the State’s Attorneys and Sheriffs;

17 (2) the Office of the Attorney General;

18 (3) the Association of Chiefs of Police;

19 (4) the Criminal Justice Training Council;

20 (5) the Vermont State Police;

21 (6) the Vermont Police Association;

1 municipal law enforcement agency's fair and impartial policing policy,
2 adopted pursuant to subsection 2366(a) of this title.

3 (2) On or before December 31, ~~2018~~ 2019, law enforcement officers
4 shall receive a minimum of four hours of training as required by this
5 subsection.

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

10 (4) The Criminal Justice Training Council shall, on an annual basis,
11 report to the Racial Disparities in the Criminal and Juvenile Justice System
12 Advisory Panel regarding:

13 (A) the adoption and implementation of the Panel's recommended
14 data collection methods and trainings and policies pursuant to 3 V.S.A.
15 § 168(f)(2) and (3);

16 (B) the incorporation of implicit bias training into the requirements of
17 basic training pursuant to this subsection; and

18 (C) the implementation of all trainings as required by this subsection.

19 **Sec. 4. Sec. 3. 20 V.S.A. § 2358 is amended to read:**

20 § 2358. MINIMUM TRAINING STANDARDS

21 * * *

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

6 (2) On or before December 31, ~~2018~~ 2019, law enforcement officers
7 shall receive a minimum of four hours of training as required by this
8 subsection.

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

13 (4) The Criminal Justice Training Council shall, on an annual basis,
14 report to the Racial Disparities in the Criminal and Juvenile Justice System
15 Advisory Panel regarding:

16 (A) the adoption and implementation of the Panel’s recommended
17 data collection methods and trainings and policies pursuant to 3 V.S.A.
18 § 168(f)(2) and (3);

19 (B) the incorporation of implicit bias training into the requirements of
20 basic training pursuant to this subsection; and

21 (C) the implementation of all trainings as required by this subsection.

1 Sec. 5. OFFICE OF THE ATTORNEY GENERAL; REPORT

2 On or before January 15, 2020 and annually thereafter, the Office of the
3 Attorney General shall submit a report to the House and Senate Committees on
4 Judiciary on:

5 (1) the number of criminal charges filed for a violation 13 V.S.A.
6 §§ 1455–1456, the nature of the underlying crime, the disposition of those
7 charges, and whether a hate-motivated crime injunction was sought or issued
8 in connection with the underlying crime;

9 (2) the number of bias-motivated incidents referred to law enforcement
10 or an appropriate community-based entity; and

11 (3) a review of the training program designed to educate law
12 enforcement officers about investigating hate-motivated crimes and bias
13 related incidents.

14 Sec. 6. EFFECTIVE DATE

15 This act shall take effect on passage, except that Sec. 4 (mandatory training)
16 shall take effect on January 1, 2021.