

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Judiciary to which was referred House Bill No. 743
3 entitled “An act relating to fair and impartial policing” respectfully reports that
4 it has considered the same and recommends that the bill be amended by
5 striking out all after the enacting clause and inserting in lieu thereof the
6 following:

7 Sec. 1. 20 V.S.A. § 2358 is amended to read:

8 § 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

9 * * *

10 (e)(1) The criteria for all minimum training standards under this section
11 shall include anti-bias training approved by the Vermont Criminal Justice
12 Training Council and training on the State, county, or municipal law
13 enforcement agency’s fair and impartial policing policy, adopted pursuant to
14 subdivision 2366(a) of this title.

15 (2) On or before December 31, 2018, law enforcement officers shall
16 receive a minimum of four hours of training as required by this subsection and
17 shall receive a refresher course every two years in a program approved by the
18 Vermont Criminal Justice Training Council in order to remain certified.

19 (3) A list of officers who have completed the fair and impartial policing
20 training and the dates of the completion shall be public and posted on the
21 Vermont Criminal Justice Training Council’s website.

1 Sec. 2. 20 V.S.A. § 2366 is amended to read:

2 § 2366. LAW ENFORCEMENT AGENCIES; FAIR AND IMPARTIAL
3 POLICING POLICY; RACE DATA COLLECTION

4 ~~(a)(1) Except as provided in subdivision (2) of this subsection, on or before~~
5 ~~September 1, 2014, every State, local, county, and municipal law enforcement~~
6 ~~agency, and every constable who exercises law enforcement authority pursuant~~
7 ~~to 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of~~
8 ~~this title, shall adopt a fair and impartial policing policy. The policy shall~~
9 ~~contain substantially the same elements of either the current Vermont State~~
10 ~~Police fair and impartial policing policy or the most current model policy~~
11 ~~issued by the Office of the Attorney General.~~

12 ~~(2)~~ On or before January 1, 2016, the Criminal Justice Training Council,
13 in consultation with stakeholders, including the Vermont League of Cities and
14 Towns, the Vermont Human Rights Commission, and Migrant Justice, shall
15 ~~adopt~~ create a model fair and impartial policing policy. On or before July 1,
16 2016, every State, ~~local~~, county, and municipal law enforcement agency,
17 and every constable who exercises law enforcement authority pursuant to
18 24 V.S.A. § 1936a and who is trained in compliance with section 2358 of this
19 title, shall adopt a fair and impartial policing policy that includes, at a
20 minimum, the elements of the Criminal Justice Training Council model policy.

1 (b) If a law enforcement agency or constable that is required to adopt a
2 policy pursuant to subsection (a) of this section fails to do so on or before
3 ~~September 1, 2014~~ July 1, 2016, that agency or constable shall be deemed to
4 have adopted, and shall follow and enforce, the model policy issued by the
5 ~~Office of the Attorney General~~ Criminal Justice Training Council.

6 (c) On or before September 15, 2014, and annually thereafter as part of
7 their annual training report to the Council, every State, ~~local~~, county, and
8 municipal law enforcement agency, and every constable who exercises law
9 enforcement authority pursuant to 24 V.S.A. § 1936a and who is trained in
10 compliance with section 2358 of this title, shall report to the Council whether
11 the agency or officer has adopted a fair and impartial policing policy in
12 accordance with subsections (a) and (b) of this section ~~and which policy has~~
13 ~~been adopted~~. The Criminal Justice Training Council shall determine, as part
14 of the Council's annual certification of training requirements, if current
15 officers have received training on fair and impartial policing as required by
16 20 V.S.A. § 2358(e).

17 (d) On or before October 15, 2014, and annually thereafter on April 1, the
18 Criminal Justice Training Council shall report to the House and Senate
19 Committees on Judiciary which departments and officers have adopted a fair
20 and impartial policing policy, ~~which policy has been adopted~~, and whether
21 officers have received training on fair and impartial policing.

1 (e)(1) On or before September 1, 2014, every State, ~~local~~, county, and
2 municipal law enforcement agency shall collect roadside stop data consisting
3 of the following:

4 (A) the age, gender, and race of the driver;

5 (B) the reason for the stop;

6 (C) the type of search conducted, if any;

7 (D) the evidence located, if any; and

8 (E) the outcome of the stop, including whether:

9 (i) a written warning was issued;

10 (ii) a citation for a civil violation was issued;

11 (iii) a citation or arrest for a misdemeanor or a felony occurred; or

12 (iv) no subsequent action was taken.

13 (2) Law enforcement agencies shall work with the Criminal Justice
14 Training Council **and the Crime Research Group of Vermont** with the goals of
15 collecting uniform data, adopting uniform storage methods and periods, and
16 ensuring that data can be analyzed. Roadside stop data, as well as reports and
17 analysis of roadside stop data, shall be public.

18 (3) On or before September 1, 2016 and annually thereafter, law
19 enforcement agencies shall provide the data collected under this subsection to
20 the **Crime Research Group of Vermont** in the electronic format specified by the
21 agency.

1 (4) The data provided pursuant to subdivision (3) of this subsection shall
2 be posted electronically in a manner that is **analyzable and** accessible to the
3 public on the Crime Research Group of Vermont’s website.

4 (5) On or before October 15, 2016, and annually thereafter on April 1,
5 the Criminal Justice Training Council shall report to the House and Senate
6 Committees on Judiciary on the departments and officers that have and have
7 not provided the data required by subdivision (3) of this subsection. The list of
8 officers, agencies, or departments that have and have not provided the data in
9 accordance with subdivision (3) of this subsection shall be public.

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on passage.

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18 (Committee vote: _____)

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Representative _____

FOR THE COMMITTEE