

1 S.221

2 Introduced by Senator White

3 Referred to Committee on

4 Date:

5 Subject: Public safety; Vermont Criminal Justice Training Council; law
6 enforcement officers; professional regulation; municipal police
7 departments; Law Enforcement Advisory Board

8 Statement of purpose of bill as introduced: This bill proposes to:

9 (1) Make miscellaneous amendments regarding the Vermont Criminal
10 Justice Training Council and its regulation of law enforcement officers'
11 certification. In particular, the bill would amend the scope of practice of a
12 Level II certified law enforcement officer; establish what constitutes
13 unprofessional conduct of a law enforcement officer; the procedure to receive,
14 investigate, and adjudicate complaints; and the discipline the Council may
15 order upon its finding that an officer committed unprofessional conduct.

16 (2) Require that in a municipal police department the chief of police and
17 any police officer who is employed in a supervisory capacity or who holds the
18 rank of sergeant or higher shall be certified as a Level III law enforcement
19 officer.

1 (3) Add to the membership of the Law Enforcement Advisory Board
2 representation from the Departments of Fish and Wildlife and of Motor
3 Vehicles.

4 An act relating to law enforcement officers

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

6 * * * Vermont Criminal Justice Training Council * * *

7 Sec. 1. 20 V.S.A. § 2351 is amended to read:

8 § 2351. CREATION AND PURPOSE OF COUNCIL

9 (a) In order to promote and protect the health, safety, and welfare of the
10 public, it is in the public interest to provide for the creation of the Vermont
11 Criminal Justice Training Council.

12 (b) The Council is created to encourage and assist municipalities, counties,
13 and governmental agencies of this State in their efforts to improve the quality
14 of law enforcement and citizen protection by maintaining a uniform standard
15 of recruit and in-service training for law enforcement officers, ~~including~~
16 ~~members of the Department of Public Safety, Capitol Police officers,~~
17 ~~municipal police officers, constables, correctional officers, prosecuting~~
18 ~~personnel, motor vehicle inspectors, State investigators employed on a~~
19 ~~full-time basis by the Attorney General, fish and game wardens, sheriffs and~~
20 ~~their deputies who exercise law enforcement powers pursuant to the provisions~~

1 ~~of 24 V.S.A. §§ 307 and 311, railroad police commissioned pursuant to~~
2 ~~5 V.S.A. chapter 68, subchapter 8, and police officers appointed to the~~
3 ~~University of Vermont's Department of Police Services.~~

4 (c) The Council shall offer continuing programs of instruction in up-to-date
5 methods of law enforcement and the administration of criminal justice.

6 (d) It is the responsibility of the Council to encourage the participation of
7 local governmental units in the program and to aid in the establishment of
8 adequate training facilities.

9 Sec. 2. 20 V.S.A. § 2351a is added to read:

10 § 2351a. DEFINITIONS

11 As used in this chapter:

12 (1) “Director of a law enforcement agency” means the director, chief, or
13 similar head of a law enforcement agency.

14 (2) “Law enforcement agency” means the office that employs a law
15 enforcement officer.

16 (3) “Law enforcement officer” means a member of the Department of
17 Public Safety who exercises law enforcement powers; a member of the State
18 Police; a Capitol Police officer; a municipal police officer; a constable who
19 exercises law enforcement powers; a motor vehicle inspector; an employee of
20 the Department of Liquor Control who exercises law enforcement powers; an
21 investigator employed by the Secretary of State; a Board of Medical Practice

1 investigator employed by the Department of Health; an investigator employed
2 by the Attorney General or a State's Attorney; a fish and game warden; a
3 sheriff; a deputy sheriff who exercises law enforcement powers; a railroad
4 police officer commissioned pursuant to 5 V.S.A. chapter 68, subchapter 8; or
5 a police officer appointed to the University of Vermont's Department of Police
6 Services.

7 (4) "Off-site training" means training provided off the premises of a law
8 enforcement officer training school and approved by the Council under the
9 provisions of section 2355 of this chapter.

10 Sec. 3. 20 V.S.A. § 2352 is amended to read:

11 § 2352. ~~CREATION OF COUNCIL~~ MEMBERSHIP

12 (a)(1) The Vermont Criminal Justice Training Council shall consist of:

13 (A) the Commissioners of Public Safety, of Corrections, of Motor
14 Vehicles, and of Fish and Wildlife;

15 (B) the Attorney General;

16 (C) a member of the Vermont State Police bargaining unit of the
17 Vermont State Employees' Association or its successor entity, elected by its
18 membership, ~~and~~;

19 (D) a member of the Vermont Police Association, elected by its
20 membership. ~~The Governor shall appoint; and~~

1 ~~each~~ A member may designate in writing a person within ~~their~~ his or her
2 agency or association to attend a meeting or meetings of the ~~council~~ Council.

3 The designation shall be filed with the ~~chairman~~ Chair of the ~~council~~ Council.

4 (2) A person so designated shall have the same voting rights and
5 responsibilities as the ~~ex-officio~~ member at such meeting or meetings ~~except,~~
6 but that the designee shall not automatically assume the member's place as an
7 officer of the ~~board~~ Council.

8 Sec. 5. 20 V.S.A. § 2355 is amended to read:

9 § 2355. COUNCIL POWERS AND DUTIES

10 (a) The Council shall adopt rules with respect to:

11 (1) the approval, or revocation thereof, of law enforcement officer
12 training schools and off-site training programs;

13 (2) minimum courses of study, attendance requirements, and equipment
14 and facilities to be required at approved law enforcement officer training
15 schools and off-site training programs;

16 (3) minimum qualifications for instructors at approved law enforcement
17 officer training schools and off-site training programs;

18 (4) minimum qualifications for students at training programs, which
19 may include passage of a polygraph examination or a criminal background
20 investigation, or both;

1 (5) minimum basic training for law enforcement officers in each level of
2 law enforcement officer certification and the time within which that training
3 shall be completed;

4 ~~(5) [Repealed.]~~

5 (6) minimum annual in-service training requirements for law
6 enforcement officers in each level of law enforcement officer certification;

7 (7) minimum courses of training for other criminal justice personnel;

8 (8) categories or classifications of advanced in-service training
9 programs and minimum courses of study and attendance requirements with
10 respect to those categories or classifications;

11 (9) recertification of persons who have not been employed as law
12 enforcement officers for a three-year period;

13 (10) a definition of criminal justice personnel and criminal justice
14 training for purposes of this title; and

15 ~~(11) decertification of persons who have been convicted of a felony~~
16 ~~subsequent to their certification as law enforcement officers;~~

17 ~~(12) decertification of persons who have not complied with in-service~~
18 ~~training requirements, provided that the Council, through permitting its~~
19 Executive Director, ~~may~~ to grant up to a 60-day waiver to a law enforcement
20 officer who has failed to meet his or her annual in-service training

1 requirements but who is able to complete those training requirements within
2 ~~that 60-day period~~ the time period permitted by the Executive Director.

3 * * *

4 Sec. 6. 20 V.S.A. § 2356 is added to read:

5 § 2356. VERMONT POLICE ACADEMY

6 The Vermont Police Academy within the Robert H. Wood, Jr. Criminal
7 Justice and Fire Service Training Center of Vermont is hereby designated a
8 law enforcement agency.

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

10 § 2358. MINIMUM TRAINING STANDARDS; DEFINITIONS

11 * * *

12 (b) The Council shall offer or approve basic training and annual in-service
13 training for each of the following three levels of law enforcement officer
14 certification in accordance with the scope of practice for each level, and shall
15 determine by rule the scope of practice for each level in accordance with the
16 provisions of this section:

17 (1) Level I certification.

18 * * *

19 (B)(i) The scope of practice of a Level I law enforcement officer
20 shall be limited to security, transport, vehicle escorts, and traffic control, as
21 those terms are defined by the Council ~~by rule~~, except that a Level I officer

1 may react in the following circumstances if the officer determines that it is
2 necessary to do any of the following:

3 * * *

4 (2) Level II certification.

5 (A) An applicant for certification as a Level II law enforcement
6 officer shall first complete Level II basic training and may then become
7 certified in a specialized practice area as set forth in subdivision (B)(ii) of this
8 subdivision (2). Level II basic training shall include training to respond to
9 calls regarding alleged crimes in progress and to react to the circumstances
10 described in subdivision (B)(iii) of this subdivision (2).

11 (B)(i) Except as provided in subdivisions (ii) and (iii) of this
12 subdivision (B), the scope of practice of a Level II law enforcement officer
13 shall be limited to investigating the following matters:

14 (I) 7 V.S.A. § 657 (person under 21 years of age
15 misrepresenting age, procuring, possessing, or consuming alcoholic beverages;
16 third or subsequent offense);

17 (II) 7 V.S.A. § 658 (sale or furnishing to minors; enabling
18 consumption by minors);

19 ~~(H)~~(III) 13 V.S.A. chapter 7 (advertisements);

20 ~~(H)~~(IV) 13 V.S.A. chapter 8 (humane and proper treatment of
21 animals);

1 ~~(IV)~~(V) 13 V.S.A. §§ 505 (fourth degree arson), 508 (setting
2 fires), and 509 (attempts);
3 ~~(V)~~(VI) 13 V.S.A. chapter 19, subchapter 1 (riots);
4 ~~(VI)~~(VII) 13 V.S.A. §§ 1022 (noise in the nighttime), 1023
5 (simple assault), 1025 (recklessly endangering another person), 1026
6 (disorderly conduct), 1026a (aggravated disorderly conduct), 1027 (disturbing
7 peace by use of telephone or other electronic communications), 1030 (violation
8 of an abuse prevention order, an order against stalking or sexual assault, or a
9 protective order concerning contact with a child), 1031 (interference with
10 access to emergency services), 1042 (domestic assault), and 1062 (stalking);
11 ~~(VII)~~(VIII) 13 V.S.A. chapter 35 (escape);
12 ~~(VIII)~~(IX) 13 V.S.A. chapter 41 (false alarms and reports);
13 ~~(IX)~~(X) 13 V.S.A. chapter 45 (flags and ensigns);
14 ~~(X)~~(XI) 13 V.S.A. chapter 47 (frauds);
15 ~~(XI)~~(XII) 13 V.S.A. chapter 49 (fraud in commercial
16 transactions);
17 ~~(XII)~~(XIII) 13 V.S.A. chapter 51 (gambling and lotteries);
18 ~~(XIII)~~(XIV) 13 V.S.A. chapter 57 (larceny and embezzlement),
19 except for subchapter 2 (embezzlement);
20 ~~(XIV)~~(XV) 13 V.S.A. chapter 67 (public justice and public
21 officers);

- 1 ~~(XV)~~(XVI) 13 V.S.A. chapter 69 (railroads);
- 2 ~~(XVI)~~(XVII) 13 V.S.A. chapter 77 (trees and plants);
- 3 ~~(XVII)~~(XVIII) 13 V.S.A. chapter 81 (trespass and malicious
- 4 injuries to property);
- 5 ~~(XVIII)~~(XIX) 13 V.S.A. chapter 83 (vagrants);
- 6 ~~(XIX)~~(XX) 13 V.S.A. chapter 85 (weapons);
- 7 ~~(XXI)~~(XXI) 13 V.S.A. § 7559(d), (e), and (f) (violating condition of
- 8 release);
- 9 ~~(XX)~~(XXII) 18 V.S.A. §§ 4230(a), 4230c, and 4230d
- 10 (marijuana possession);
- 11 ~~(XXI)~~(XXIII) 18 V.S.A. § 4231(a) (cocaine possession);
- 12 ~~(XXII)~~(XXIV) 18 V.S.A. § 4232(a) (LSD possession);
- 13 ~~(XXIII)~~(XXV) 18 V.S.A. § 4233(a) (heroin possession);
- 14 ~~(XXIV)~~(XXVI) 18 V.S.A. § 4234(a) (depressant, stimulant, or
- 15 narcotic drug possession);
- 16 ~~(XXV)~~(XXVII) 18 V.S.A. § 4234a(a) (methamphetamine
- 17 possession);
- 18 ~~(XXVI)~~(XXVIII) 18 V.S.A. § 4235(b) (hallucinogenic drug
- 19 possession);
- 20 ~~(XXVII)~~(XXIX) 18 V.S.A. § 4235a(a) (ecstasy possession);

1 (d) ~~As used in this section:~~

2 (1) ~~“Law enforcement officer” means a member of the Department of~~
3 ~~Public Safety who exercises law enforcement powers, a member of the State~~
4 ~~Police, a Capitol Police officer, a municipal police officer, a constable who~~
5 ~~exercises law enforcement powers, a motor vehicle inspector, an employee of~~
6 ~~the Department of Liquor Control who exercises law enforcement powers, an~~
7 ~~investigator employed by the Secretary of State, Board of Medical Practice~~
8 ~~investigators employed by the Department of Health, Attorney General, or a~~
9 ~~State’s Attorney, a fish and game warden, a sheriff, or deputy sheriff who~~
10 ~~exercises law enforcement powers, a railroad police officer commissioned~~
11 ~~pursuant to 5 V.S.A. chapter 68, subchapter 8, or a police officer appointed to~~
12 ~~the University of Vermont’s Department of Police Services.~~

13 (2) ~~“Off site training” means training provided off the premises of a law~~
14 ~~enforcement officer training school and approved by the Council under the~~
15 ~~provisions of section 2355 of this chapter.~~

16 (3) [Repealed.]

17 * * *

1 Sec. 8. 20 V.S.A. § 2359 is added to read:

2 § 2359. UNPROFESSIONAL CONDUCT

3 The conduct set forth in this section, alone or in combination, committed by
4 a law enforcement officer, whether committed within or without the State,
5 shall constitute unprofessional conduct:

6 (1) has made or caused to be made a false, fraudulent, or forged
7 statement or representation to the Council;

8 (2) failure to complete an annual in-service training requirement;

9 (3) conviction of a crime that indicates an unfitness to practice law
10 enforcement;

11 (4) attempting to conceal his or her own unprofessional conduct or that
12 of another law enforcement officer;

13 (5) conduct unbecoming of a law enforcement officer;

14 (6) has willfully or repeatedly violated any of the provisions of this
15 chapter;

16 (7) is habitually intemperate or is addicted to the use of habit-forming
17 drugs; or

18 (8) engages in conduct of a character likely to deceive, defraud, or harm
19 the public.

1 Sec. 9. 20 V.S.A. § 2359a is added to read:

2 § 2359a. LAW ENFORCEMENT AGENCIES; MANDATORY

3 REPORTING TO COUNCIL

4 (a) The director of a law enforcement agency shall report to the Council

5 when:

6 (1)(A) There has been a final and binding decision to involuntarily
7 terminate a law enforcement officer of that agency.

8 (B) As used in this subdivision (1), “final and binding decision”
9 means that any appeal, grievance, or other challenge to the involuntary
10 termination by the officer or his or her collective bargaining agent has been
11 fully adjudicated and any deadline for further appeal has passed.

12 (2)(A) The law enforcement agency has hired or is contemplating hiring
13 a person who was employed as a law enforcement officer in another law
14 enforcement agency.

15 (B) Upon inquiry to that former law enforcement agency by the
16 Council, the director of that former law enforcement agency shall report to the
17 Council any alleged unprofessional conduct committed by that law
18 enforcement officer, even if that conduct did not result in the officer’s
19 involuntary termination.

20 (3) A law enforcement officer of that agency has been charged with a
21 crime.

1 (b)(1) A director of a law enforcement agency required to report to the
2 Council under subsection (a) of this section shall provide the Council with all
3 evidence supporting the information required to be reported.

4 (2) A report shall be filed within 10 days of the event triggering the
5 report.

6 (c) The provisions of this section shall not limit the ability of a law
7 enforcement agency to otherwise report to the Council on alleged
8 unprofessional conduct committed by a law enforcement officer.

9 Sec. 10. 20 V.S.A. § 2360 is added to read:

10 § 2360. PROCEDURE FOR RECEIVING, INVESTIGATING, AND

11 ADJUDICATING COMPLAINTS

12 (a) Generally. Except as otherwise provided in this chapter, the Council's
13 procedure for receiving, investigating, and adjudicating complaints of alleged
14 unprofessional conduct committed by a law enforcement officer shall be in
15 accordance with the Vermont Administrative Procedure Act.

16 (b) Filing complaints.

17 (1) The Council shall receive complaints from any source.

18 (2) A person who in good faith files a complaint with the Council shall
19 not be liable for damages in a civil action.

1 (c) Investigating complaints.

2 (1)(A) The Executive Director of the Council:

3 (i) shall conduct a preliminary investigation of any report required
4 to be made to the Council under section 2359a of this chapter and of any other
5 complaint made to the Council regarding alleged unprofessional conduct
6 committed by a law enforcement officer; and

7 (ii) may conduct a preliminary investigation of a law enforcement
8 officer's alleged conduct without receiving a complaint.

9 (B) The purpose of a preliminary investigation under this
10 subdivision (1) shall be to determine whether an allegation regarding conduct
11 of a law enforcement officer is credible and if so, would constitute
12 unprofessional conduct under this chapter if substantiated.

13 (2) After his or her preliminary investigation, the Executive Director
14 may conduct a full investigation with the assistance of an investigator for the
15 Council and an attorney assigned by the Council who shall be responsible for
16 prosecuting charges of unprofessional conduct before it.

17 (d) Hearing officer.

18 (1) The Council may appoint a hearing officer, who shall be an attorney
19 admitted to practice in this State, to preside at hearings for the purpose of
20 making procedural and evidentiary rulings. The Council may overrule a ruling

1 by the hearing officer. The hearing officer may administer oaths and exercise
2 the powers of the Council properly incidental to the conduct of the hearing.

3 (2) The hearing officer shall draft findings of fact, conclusions of law,
4 and Council orders for the Council's review. The Council shall enter its
5 findings, conclusions, and orders within 60 days of the conclusion of a hearing,
6 unless the Council grants an extension.

7 (e) Conflicts of interest.

8 (1)(A) A Council member or hearing officer who has a conflict of
9 interest in the outcome of any Council decision shall not participate in deciding
10 the matter. In that circumstance, the member or hearing officer shall recuse
11 himself or herself from participating in the matter in his or her official
12 capacity.

13 (B) If a member or hearing officer refuses to recuse, the remaining
14 members of the Council may vote to disqualify him or her from participating in
15 the matter. A Council vote on disqualification shall be final and subject to
16 review only upon appeal of a final order of the Council.

17 (2) As used in subdivision (1) of this subsection, a "conflict of interest"
18 means that a member or hearing officer has a personal or pecuniary interest in
19 the outcome of a Council decision, or the respondent in the matter is an
20 employee of the member's or hearing officer's law enforcement agency.

1 (f) Ad hoc members. When the Council is unable to convene a quorum by
2 reason of recusal, disqualification, resignation, vacancy, or necessary absence,
3 the Executive Director shall appoint a number of ad hoc members to serve on
4 the Council for that matter only, after consulting with the Chair of the Council.

5 (g) Procedural authority. The Council may authorize:

6 (1) its Chair or hearing officer to grant continuances of scheduled
7 hearings;

8 (2) its Chair to grant or deny stays pending appeal; and

9 (3) its Chair or hearing officer to convene and conduct prehearing
10 conferences.

11 (h) Burden of proof. The burden of proof in an unprofessional conduct
12 action shall be on the State to show by a preponderance of the evidence that a
13 law enforcement officer has committed unprofessional conduct.

14 (i) Permitted Council orders.

15 (1) Upon finding that a law enforcement officer committed
16 unprofessional conduct, the Council may order any of the following, alone or
17 in combination:

18 (A) Warning or Reprimand.

19 (B) Conditions.

20 (C) Suspension.

21 (D) Decertification.

1 (2) In cases requiring emergency action, the Council may summarily
2 suspend the certification of a law enforcement officer as provided in
3 3 V.S.A. § 814(b).

4 (j) Alleged sexual misconduct. In any proceeding under this section that
5 addresses a law enforcement officer's alleged sexual misconduct, evidence of
6 the sexual history of the victim of the alleged sexual misconduct shall neither
7 be subject to discovery nor be admitted into evidence. Neither opinion
8 evidence of nor evidence of the reputation of the victim's sexual conduct shall
9 be admitted.

10 (k) Appeals. A party aggrieved by a decision of the Council may appeal to
11 the Vermont Supreme Court.

12 Sec. 11. 20 V.S.A. § 2360a is added to read:

13 § 2360a. ACCESSIBILITY AND CONFIDENTIALITY

14 (a) It is the purpose of this section both to protect the reputation of law
15 enforcement officers from public disclosure of unwarranted complaints against
16 them, and to fulfill the public's right to know of any action taken against a law
17 enforcement officer when that action is based on a determination of
18 unprofessional conduct.

19 (b) All meetings and hearings of the Council shall be subject to the Open
20 Meeting Law.

1 (c) The Executive Director of the Council shall prepare and maintain a
2 register of all complaints, which shall be a public record and which shall show:

3 (1) with respect to any complaint, the following information:

4 (A) the date and the nature of the complaint, but not including the
5 identity of the law enforcement officer; and

6 (B) a summary of the completed investigation; and

7 (2) only with respect to a complaint resulting in filing of charges or
8 stipulations or the taking of disciplinary action, the following additional
9 information:

10 (A) the name and business addresses of the law enforcement officer
11 and the complainant;

12 (B) formal charges, provided that they have been served or a
13 reasonable effort to serve them has been made;

14 (C) the findings, conclusions, and order of the Council;

15 (D) the transcript of the hearing, if one has been made, and exhibits
16 admitted at the hearing;

17 (E) any stipulation filed with the Council; and

18 (F) any final disposition of the matter by the Vermont Supreme
19 Court.

20 (d) The Council, its hearing officer, and Council staff shall keep
21 confidential any other information regarding unprofessional conduct

1 complaints, investigations, proceedings, and related records except the
2 information required or permitted to be released under this section.

3 (e) A law enforcement officer charged with unprofessional conduct shall
4 have the right to inspect and copy the investigation file that results in the
5 charges against him or her, except for any attorney work product or other
6 privileged information.

7 (f) Nothing in this section shall prohibit the disclosure of any information
8 regarding unprofessional conduct complaints pursuant to an order from a court
9 of competent jurisdiction, or to a State or federal law enforcement agency in
10 the course of its investigation, provided the agency agrees to maintain the
11 confidentiality of the information as provided in subsection (d) of this section.

12 * * * Municipal Police Departments * * *

13 Sec. 12. 24 V.S.A. § 1931 is amended to read:

14 § 1931. POLICE OFFICERS

15 (a) The legislative body of a municipality, as that term is defined in section
16 2001 of this title, and in its stead, the town manager, when appointed pursuant
17 to chapter 37 of this title, ~~of a municipality as defined in section 2001 of this~~
18 ~~title~~ may establish a police department and appoint police officers and a chief
19 of police ~~who shall be a police officer.~~ Notwithstanding any provision of law
20 to the contrary, a chief of police and any police officer who is employed in a
21 supervisory capacity or who holds the rank of sergeant or higher shall be

1 certified as a Level III law enforcement officer pursuant to 20 V.S.A.
2 chapter 151 (Vermont Criminal Justice Training Council).

3 (1) Such legislative body or town manager may temporarily appoint
4 qualified persons as additional police officers when necessary, or appoint
5 qualified persons as temporary police officers in the event no police
6 department is established, shall specify the term and duties of such officers,
7 and may fix their compensation, which may be paid by the municipality.

8 (2) ~~They~~ A municipal police officer shall be sworn and shall hold office
9 during good behavior, unless sooner removed for cause, or in the case of a
10 temporary police ~~officers~~ officer, for the term specified. Such appointment,
11 oath, and removal shall be in writing and recorded in the office of the clerk of
12 the municipality.

13 * * *

14 * * * Law Enforcement Advisory Board * * *

15 Sec. 13. REPEAL

16 24 V.S.A. § 1939 (Law Enforcement Advisory Board) is repealed.

17 Sec. 14. 20 V.S.A. § 1818 is added to read:

18 § 1818. LAW ENFORCEMENT ADVISORY BOARD

19 (a) A Law Enforcement Advisory Board is created within the Department
20 of Public Safety to advise the Commissioner of Public Safety, the Governor,
21 and the General Assembly on issues involving the cooperation and

1 coordination of all agencies that exercise law enforcement responsibilities.

2 The Board shall review any matter that affects more than one law enforcement
3 agency. The Board shall comprise the following members:

4 (1) the Commissioner of Public Safety;

5 (2) the Director of the Vermont State Police;

6 (3) the Director of the Vermont Criminal Justice Services Division;

7 (4) a member of the Vermont Association of Chiefs of Police appointed
8 by the President of the Association;

9 (5) a member of the Vermont Sheriffs' Association appointed by the
10 President of the Association;

11 (6) a representative appointed by the Vermont League of Cities and
12 Towns appointed by the Executive Director;

13 (7) a member of the Vermont Police Association appointed by the
14 President of the Association;

15 (8) the Attorney General or designee;

16 (9) a State's Attorney appointed by the Executive Director of the
17 Department of State's Attorneys and Sheriffs;

18 (10) the U.S. Attorney or designee;

19 (11) the Executive Director of the Vermont Criminal Justice Training
20 Council;

21 (12) the Defender General or designee;

1 (13) one employee-representative of the Vermont State Police,
2 appointed by the Director of the Vermont State Employees' Association;

3 (14) a member of the Vermont Constables Association appointed by the
4 President of the Association;

5 (15) the Commissioner of Fish and Wildlife or designee; and

6 (16) the Commissioner of Motor Vehicles or designee.

7 (b) The Board shall elect a chair and a vice chair, which shall rotate among
8 the various member representatives. Each member shall serve a term of two
9 years. The Board shall meet at the call of the Chair. A quorum shall consist of
10 six members, and decisions of the Board shall require the approval of a
11 majority of those members present and voting.

12 (c) The Board shall undertake an ongoing formal review process of law
13 enforcement policies and practices with a goal of developing a comprehensive
14 approach to providing the best services to Vermonters, given monies available.
15 The Board shall also provide educational resources to Vermonters about public
16 safety challenges in the State.

17 (d) The Board shall meet no fewer than six times a year to develop policies
18 and recommendations for law enforcement priority needs, including retirement
19 benefits, recruitment of officers, training needs, homeland security issues,
20 dispatching, and comprehensive drug enforcement. The Board shall present its

1 findings and recommendations in brief summary to the House and Senate
2 Committees on Judiciary annually on or before January 15.

3 Sec. 15. RECODIFICATION

4 (a) 24 V.S.A. § 1939 is recodified as 20 V.S.A. § 1818. During statutory
5 revision, the Office of Legislative Council shall revise accordingly any
6 references to 24 V.S.A. § 1939 in the Vermont Statutes Annotated.

7 (b) Any references in session law and adopted rules to 24 V.S.A. § 1939 as
8 previously codified shall be deemed to refer to 20 V.S.A. § 1818.

9 * * * Effective Dates * * *

10 Sec. 16. EFFECTIVE DATES

11 This act shall take effect on July 1, 2016 except for Sec. 12,
12 24 V.S.A. § 1931, which shall take effect on July 1, 2017.