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H.171

Introduced by Representative Burditt of West Rutland

Referred to Committee on

Date:

Subject: Attorney General; law enforcement; investigation

Statement of purpose of bill as introduced: This bill proposes to create investigatory requirements for the Attorney General when investigations are commenced relating to law enforcement officers who unholster a firearm in the performance of the officer’s official duties.

An act relating to Attorney General investigations into a law enforcement officer’s use of a firearm

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

Sec. 1. 3 V.S.A. § 153a is added to read:

§ 153a. LAW ENFORCEMENT OFFICERS; OFFICER-INVOLVED
SHOOTINGS; INVESTIGATION

(a) As used in this section:

(1) “Law enforcement agency” has the same meaning as in 20 V.S.A.

§ 2351a.

(2) “Law enforcement officer” has the same meaning as in 20 V.S.A.

§ 2351a.

1 (b) The Attorney General may commence an investigation into any law
2 enforcement officer who unholsters a firearm in the performance of the
3 officer's official duties.

4 (c)(1) Any investigation commenced pursuant to this section shall be
5 completed within 90 days after initiation by the Attorney General.

6 (2) An investigation may exceed 90 days when the incident investigated
7 involves multiple individuals who were either shot or physically injured by the
8 law enforcement officer's use of a firearm.

9 (d) During the course of an investigation pursuant to this section, the
10 Attorney General shall prepare and submit a written report to the officer who is
11 the subject of the investigation and the law enforcement agency that employs
12 the officer. The report shall include:

13 (1) a statement of facts;

14 (2) a detailed analysis and conclusion of each investigatory issue; and

15 (3) any recommendations concerning the filing of criminal charges and
16 proposed changes to any law enforcement policies at issue.

17 (e) The Attorney General shall adopt rules pursuant to chapter 25 of this
18 title to implement this section. The rules adopted shall include:

19 (1) the standard of review for any investigation commenced pursuant to
20 this section;

21 (2) timelines to review each incident investigated;

1 (3) ensuring public access to information concerning the procedure and
2 timelines for any investigation commenced pursuant to this section; and

3 (4) any other considerations that the Attorney General deems necessary.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2025.