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June 3, 2020

Sen. Tim Ashe, President Pro Tempore
Vermont Senate
115 State St.
Montpelier, Vermont 05633-5301

Rep. Mitzi Johnson, Speaker of the House
Vermont House of Representatives
115 State St.
Montpelier, Vermont 05633-5301

Re: H. 808, An act relating to the use of deadly force by law enforcement
H. 464, An act relating to law enforcement training on appropriate use of force,
de-escalation tactics, and cross-cultural awareness

Dear President Ashe and Speaker Johnson:

I know you share my dismay and outrage over the murder of George Floyd at the hands of a police officer. I am writing today to ask you to consider legislation that would help prevent similar tragedies from happening here in Vermont.

In January, I testified on H.808, "An act relating to the use of deadly force by law enforcement." This bill adopts California's new standard of review in police use-of-force cases. I believe Vermont should consider this new standard as an effort to build more public trust and hopefully limit the number of use-of-force incidents between community members and the police. I recommend immediately forming a study committee made of stakeholders, such as representatives of the mental health community, prosecutors, law enforcement, the defense bar, communities of color, advocates for civil liberties, and anyone else you believe should be included. I would welcome the opportunity to have my office participate in this committee.

A related bill, which takes a multi-faceted approach, is H. 464, "An act relating to law enforcement training on appropriate use of force, de-escalation tactics, and cross-cultural awareness." I support this bill and urge you to pass it this session. This bill seeks to address the problem of unnecessary force from three different perspectives: data, standards, and training. This approach would provide a more transparent, fact-based, and community needs-

based approach to public safety and community service. Collecting use-of-force data empowers both the community and law enforcement because it allows both to make decisions about resources, standards, and training based upon facts, not assumptions. In addition, the bill would establish a model Use of Force, De-Escalation, and Cross-Cultural Awareness policy, which adds to transparency, consistency, and safety. This policy would mean that graduates of the Vermont Police Academy would need to demonstrate competence with a set of skills and knowledge that is consistent. Finally, improving our officers' training is vital to reducing risk to officers and the public.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'TJD', with a stylized flourish extending from the end.

Thomas J. Donovan
Vermont Attorney General