

1 S.80

2 Introduced by Senator Mullin

3 Referred to Committee on

4 Date:

5 Subject: Corrections; law enforcement powers of correctional officers;
6 authority to carry firearms

7 Statement of purpose of bill as introduced: This bill proposes to authorize all
8 corrections officers who are certified as law enforcement officers by the
9 Vermont Criminal Justice Training Council to carry firearms.

10 An act relating to the authority of correctional officers to carry firearms

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

12 Sec. 1. 28 V.S.A. § 551a is amended to read:

13 § 551a. LAW ENFORCEMENT POWERS OF CORRECTIONAL
14 OFFICERS; TRAINING REQUIREMENTS

15 (a) The Commissioner of Corrections shall establish training requirements
16 necessary for a correctional officer to be authorized to exercise the power to
17 arrest a person on probation under section 301 of this title, to arrest a person
18 serving supervised community sentence under section 363 of this title, or to
19 arrest a person on parole under section 551 of this title. The required training
20 shall include training in search and seizure, criminal law, authority to arrest,

1 use of force, reporting and record keeping, and liability for actions and
2 conduct.

3 (b) ~~The~~ Upon the request of any correctional officer as defined in
4 subdivision 3(10) of this title who is assigned to the Field Supervision Unit, the
5 Commissioner ~~may also~~ shall authorize and designate ~~any correctional officer~~
6 ~~as defined in subdivision 3(10) of this title~~ the officer to become certified by
7 the Vermont Criminal Justice Training Council as a law enforcement officer
8 pursuant to the provisions of 20 V.S.A. chapter 151. The Commissioner and
9 the Executive Director of the Vermont Criminal Justice Training Council shall
10 develop curriculum subject to the approval of the Council. The Commissioner
11 by Department policy may prescribe the use of those law enforcement powers
12 consistent with the official duties and job descriptions of the correctional
13 officer, ~~and may direct that the correctional officer not carry any weapon while~~
14 ~~on duty~~. Any person hereby certified shall be sworn by the Commissioner.

15 Sec. 2. EFFECTIVE DATE

16 This act shall take effect on passage.