

1 H.228

2 Introduced by Representative Branagan of Georgia

3 Referred to Committee on

4 Date:

5 Subject: Crimes; crime victims; child victims of sexual assault

6 Statement of purpose: This bill proposes to keep confidential the name,
7 address, and identity of victims of sexual assault who are under 18 years of
8 age.

9 An act relating to child victims of sexual assault

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

11 Sec. 1. 13 V.S.A. § 3258 is added to read:

12 § 3258. CHILD VICTIMS OF SEXUAL ASSAULT; CONFIDENTIALITY

13 (a) In a prosecution for sexual assault, aggravated sexual assault, or lewd or
14 lascivious conduct with a child, the name, address, and identity of the victim,
15 or information reasonably likely to disclose the identity of the victim, shall not
16 appear on the indictment or the information. In place of any such identifying
17 information, initials or a fictitious name shall appear.

18 (b) That portion of the records of a court or any law enforcement agency
19 which contains the name, address, or identity of a victim of an offense
20 described in subsection (a) of this section, or which contains any information

1 reasonably likely to disclose the identity of such victim, shall be kept
2 confidential unless the court, after a hearing, determines that good cause exists
3 for disclosure.

4 (c) Except as otherwise provided in this section, it shall be unlawful to
5 publish, disseminate, or otherwise disclose the name of any individual
6 identified as a victim of an offense described in subsection (a) of this section.

7 A person who violates this section shall be assessed a civil penalty of not more
8 than \$100.00.

9 (d) For purposes of this section, "victim" means a person who was younger
10 than the age of 18 at the time an alleged offense described in subsection (a) of
11 this section was committed.

12 Sec. 2. 4 V.S.A. § 1102 is amended to read:

13 § 1102. JUDICIAL BUREAU; JURISDICTION

14 (a) A judicial bureau is created within the judicial branch under the
15 supervision of the supreme court.

16 (b) The judicial bureau shall have jurisdiction of the following matters:

17 * * *

18 (17) Violations of 13 V.S.A. § 3258, relating to the disclosure of the
19 name of a victim of sexual assault.