

1 TO THE HONORABLE SENATE:

2 The Committee on Judiciary to which was referred Senate Bill No. 36
3 entitled “An act relating to permitting an arrest without a warrant for assaults
4 and threats against health care workers and disorderly conduct at health care
5 facilities” respectfully reports that it has considered the same and recommends
6 that the bill be amended by striking out all after the enacting clause and
7 inserting in lieu thereof the following:

8 Sec. 1. Rule 3 of the Vermont Rules of Criminal Procedure is amended to
9 read:

10 Rule 3. Arrest Without Warrant; Citation to Appear

11 * * *

12 (c) Nonwitnessed Misdemeanor Offenses. If an officer has probable cause
13 to believe a person has committed or is committing a misdemeanor outside the
14 presence of the officer, the officer may issue a citation to appear before a
15 judicial officer in lieu of arrest. The officer may arrest the person without a
16 warrant if the officer has probable cause to believe:

17 * * *

18 (8) The person has committed a misdemeanor which involves an assault
19 against a family member, or against a household member, as defined in 15
20 V.S.A. § 1101(2), or a child of such a family or household member.

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1 Sec. 3. EFFECTIVE DATE

2 This act shall take effect on passage.

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9 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE