

1 Introduced by Representative Deen of Westminster

2 Referred to Committee on

3 Date:

4 Subject: Crimes and criminal procedure; breach of the peace; harassment of a

5 law enforcement officer

6 Statement of purpose of bill as introduced: This bill proposes to prohibit a

7 person from harassing or threatening a law enforcement officer in connection

8 with the performance of his or her official duties.

9 An act relating to harassment of a law enforcement officer

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

11 Sec. 1. 13 V.S.A. § 1028b is added to read:

12 § 1028b. HARASSMENT OF A LAW ENFORCEMENT OFFICER

13 (a) As used in this section:

14 (1) “Family Member or Household Member” means a person who is

15 eligible for relief from abuse under chapter 21 of Title 15.

16 (2) “Harass” means to use words or to engage in conduct directed at a

17 specific person, or the person’s family member or household member, which

18 would cause a reasonable person to fear unlawful conduct, unlawful restraint,

19 bodily injury, or death, including but not limited to verbal threats, written,

1 telephonic, or other electronically communicated threats, vandalism, or
2 physical contact without consent.

3 (3) “Law enforcement officer” means:

4 (A) a person certified by the Vermont criminal justice training council as
5 having satisfactorily completed the approved training programs required to
6 meet the minimum training standards applicable to that person pursuant to
7 section 2358 of Title 20; or

8 (B) a constable who has not been prohibited from exercising law
9 enforcement authority under section 1936a of Title 24 and who has been
10 certified by the Vermont criminal justice training council as having
11 successfully completed a course of training pursuant to section 2358 of Title
12 20.

13 (4) “Threaten” means to use words or to engage in conduct that places
14 another person in fear of the infliction of injury or physical harm to the person,
15 or to the person’s family or household member, or the property of that person.

16 (b) A person shall not harass or threaten a law enforcement officer in
17 connection with the performance of his or her official duties.

18 (c) A person who violates this section shall be imprisoned not more than
19 five years or fined not more than \$10,000.00, or both.

20 (d) It shall not be a defense to a charge under this section that the person
21 did not intend or have the ability to carry out the threat.

22 Sec. 2. EFFECTIVE DATE

1 This act shall take effect on July 1, 2014.