

**Act No. 162 (S.154). Crimes and criminal procedures**

**An act relating to stalking, criminal threatening, and enhanced penalties for assault**

This act:

- updates and broadens both the criminal and civil stalking statutes, primarily by modernizing and expanding the definitions and terminology
- adds employees, grantees, and contractors of the Department for Children and Families (DCF) to the list of individuals covered by the enhanced penalty for assault statute, and provides that a person can also be convicted under the enhanced penalty statute if he or she assaulted the protected professional with the intent to prevent the person from performing his/her lawful duty
- requires DCF, in collaboration with the Vermont State Employees' Association, to conduct a review of the safety trainings available to the employees, contractors, and grantees of DCF and the employees of the State of Vermont and report back to the committees of jurisdiction
- creates a new misdemeanor crime of criminal threatening when a person knowingly (1) threatens another person; and (2) as a result of the threat, places the victim in reasonable fear of death or serious bodily injury. The new crime carries a penalty of not more than one year or not more than a \$1,000.00 fine, or both, and provides for a heightened penalty if the person made the threat with the intent to prevent a person from reporting suspected child abuse or neglect to DCF. It also creates an affirmative defense to a charge of criminal threatening if the person did not have the ability to carry out the threat

Effective Date: July 1, 2016