



April 27, 2015

TO: Rep. Maxine Grad, Chair  
Rep. Willem Jewett, Vice-Chair  
House Judiciary Committee

FROM: Auburn Watersong, Associate Director of Public Policy

RE: S.9 – Section 20

The following are the options that the Network would recommend the committee consider for language in Section 20 – in order of preference. I would welcome the opportunity to present our rationale to the committee.

**Option 1:**

13 V.S.A § 1304

No person over 16 years of age, having the custody or care of a child shall willfully assault, neglect, or abandon the child in a manner to endanger his or her health. A person in violation of this section shall be imprisoned not more than two years or fined not more than \$2,000.00, or both.

**Option 2:**

13 V.S.A § 1304

a) No person over 18 years of age, having the custody or care of a child shall willfully  
(1) assault, neglect, or abandon the child in a manner to endanger his or her health.  
(2) cause the child to be at substantial risk of serious bodily injury, death, or sexual assault if the person knew the child was at risk and would have been able to protect the child without risk of bodily injury, death, or sexual assault to the person, child, or household member.

b) A person in violation of this section shall be imprisoned not more than two years or fined not more than \$500.00, or both.

**Option 3:**

Repeal 1304 – Given the fact that there are already laws that address domestic assault, neglect, abandonment, and lewd and lascivious/sexual assault.

Legislative review of 1303 and 1305 next year.