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H.19

Introduced by Representatives Grad of Moretown, Austin of Colchester,  
Colburn of Burlington, Jessup of Middlesex, Pugh of South  
Burlington, and Rachelson of Burlington

Referred to Committee on

Date:

Subject: Crimes; sexual exploitation of person in custody of law enforcement  
officer

Statement of purpose of bill as introduced: This bill proposes to create the  
crime of sexual exploitation of a person in the custody of a law enforcement  
officer.

An act relating to sexual exploitation of a person in law enforcement officer  
custody

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

Sec. 1. 13 V.S.A. § 3251 is amended to read:

§ 3251. DEFINITIONS

As used in this chapter:

\* \* \*

(9) “Law enforcement officer” means a person certified as a law  
enforcement officer under the provisions of 20 V.S.A. chapter 151.

1       Sec. 2. 13 V.S.A. § 3259 is added to read:

2       § 3259. SEXUAL EXPLOITATION OF A PERSON IN THE CUSTODY OF  
3               A LAW ENFORCEMENT OFFICER

4               (a) No law enforcement officer shall engage in a sexual act with a person  
5       whom the officer is detaining, arresting, or otherwise holding in custody or  
6       who the officer knows is being detained, arrested, or otherwise held in custody  
7       by another officer.

8               (b) A person who violates subsection (a) of this section shall be imprisoned  
9       for not more than five years or fined not more than \$10,000.00, or both.

10      Sec. 3. EFFECTIVE DATE

11           This act shall take effect on passage.