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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.~~

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enforcement officer under the provisions of 20 V.S.A. chapter 151.

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

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

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

Sec. 3. EFFECTIVE DATE

This act shall take effect on passage.