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

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

§ 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 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.