

1 Sec. 8. 13 V.S.A. § 3257 is amended to read:

2 § 3257. SEXUAL EXPLOITATION OF ~~AN INMATE~~ A PERSON UNDER
3 THE SUPERVISION OF THE DEPARTMENT OF CORRECTIONS

4 (a) ~~No~~ A correctional employee, contractor, or other person providing
5 services to offenders on behalf of the Department of Corrections or pursuant to
6 a court order or in accordance with a condition of parole, probation, supervised
7 community sentence, or furlough shall not engage in a sexual act with:

8 (1) a person who the employee, contractor, or other person providing
9 services knows:

10 ~~(1)~~ is confined to a correctional facility; or

11 (2) any offender ~~is~~ being supervised by the Department of Corrections
12 while on parole, probation, supervised community sentence, or furlough, where
13 the employee, contractor, or other service provider ~~is currently engaged in a~~
14 ~~direct supervisory relationship with the person being supervised. For purposes~~
15 ~~of this subdivision, a person is engaged in a direct supervisory relationship~~
16 ~~with a supervisee if the supervisee is assigned to the caseload of that person.~~

17 knows or reasonably should have known that the offender is being supervised
18 by the Department, unless the offender and the employee, contractor, or person
19 providing services were engaged in a sexual relationship at the time of
20 sentencing for the offense for which the offender is being supervised by the
21 Department.

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

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9 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE