
13 V.S.A. § 3259 is amended to read: § 3259. SEXUAL EXPLOITATION OF A PERSON WHO IS BEING INVESTIGATED, DETAINED, ARRESTED, OR 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) No law enforcement officer shall engage in a sexual act with a person who the officer knows is a victim or suspect in an open investigation that the law enforcement officer is conducting, supervising, or assisting with, unless the person and the officer were married, parties to a civil union, or engaged in a consensual sexual relationship at the time the investigation was initiated.

(c) For purposes of this section, “detaining” and “detained” shall include a traffic stop or questioning pursuant to an investigation of a crime. [this addition is from H. 22 as introduced]

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