



PRACTITIONERS' QUICK GUIDE TO VERMONT VICTIM RIGHTS LAWS
(Last update: 6/2018)

Procedural Victim Rights

General

- 13 V.S.A. § 5301: General victim rights definitions (includes “listed crimes”)
- 13 V.S.A. § 5318: Derivative rights of victims’ family members

Investigation and Pre-Trial

- 13 V.S.A. § 5314: Law enforcement obligations
- 13 V.S.A. § 5307: inter-agency cooperation
- 13 V.S.A. § 5308: Right to be present at arraignment
- 13 V.S.A. § 5309: Right to be present in the courtroom
- 13 V.S.A. § 5312: Speedy prosecution – victim rights
- 13 V.S.A. § 5316: Prosecution/defense identification to victims
- 13 V.S.A. § 5317: Victims’ obligation to provide address and opt-in
- 13 V.S.A. § 5321: Sentencing
- 13 V.S.A. § 7041: Rights in deferred sentencing proceedings

Release and Post-Conviction

- 13 V.S.A. § 5305: Information concerning release from custody (pre-and post- conviction)
- 13 V.S.A. § 3272: Community reentry and prerelease planning
- 13 V.S.A. § 5563: Notification regarding postconviction DNA testing
- 13 V.S.A. § 5315: Information concerning appeal or post-conviction remedies
- 13 V.S.A. § 7608: Right to notice and statement in expungement and sealing proceedings
- 13 V.S.A. § 8015: Rights in collateral consequences proceedings
- 28 V.S.A. § 204: Right to provide comments for pre-sentence investigation report
- 28 V.S.A. § 205: Right to request information about compliance with probation conditions
- 28 V.S.A. § 502, 507: Notice and right to participate in parole board proceedings
- 28 V.S.A. § 721: Right to participate in offender re-entry
- 28 V.S.A. § 910a: Right to participate in reparative board proceedings

Confidentiality; see also Evidentiary and Procedural Rules

- 13 V.S.A. § 5310: Non-disclosure of confidential information
- 13 V.S.A. § 5322: Public Records exemption (Compensation, Restitution, Transitional jobs)
- 13 V.S.A. § 6607: Defendant seeking disclosure of victim records (school, healthcare, etc.)
- 15 V.S.A. § 1152: DV, SV, Stalking address confidentiality
- 1 V.S.A. § 317 (d): Victim public records catch-all
- 33 V.S.A. § 6911: Victim confidentiality in abuse of vulnerable adult proceedings

24 V.S.A. § 1966: Restorative Justice confidentiality of victim information

Special Cases

13 V.S.A. § 2663: Human trafficking services referrals

13 V.S.A. § 3281: Sexual Assault survivors bill of rights

13 V.S.A. § 4825: Mental Illness firearms prohibition

13 V.S.A. § 3256: STI testing

9 V.S.A. § 2480b: Victims of identity theft – fair credit reporting

9 V.S.A. § 3889: Stolen property notification for precious metals

13 V.S.A. § 2658: Prostitution convictions in trafficking cases

13 V.S.A. § 5410: Sex Offender Registry notification

33 V.S.A. § 6906: Victim rights in abuse of vulnerable adult investigations

Juvenile Cases

33 V.S.A. § 5117: Access to information in juvenile proceedings

33 V.S.A. § 5119: Victim information in juvenile proceedings/Sealing of Records

33 V.S.A. § 5234: Victim rights in juvenile delinquency – listed crime

33 V.S.A. § 5234a: Victim rights in juvenile delinquency – non-listed crime

33 V.S.A. § 5288: Victim rights in youthful offender proceedings

Restorative Justice Cases

24 V.S.A. § 1967: DV/SV/Stalking case prohibition for CJs (consultation required)

28 V.S.A. § 2a: Restorative Justice obligations

Victim Assistance Program

13 V.S.A. § 5304: VAP authorization

13 V.S.A. § 5306: Victim advocate hiring

3 V.S.A. § 455: VAP retirement status

Restitution

Standards and Procedures

13 V.S.A. § 5362: Restitution Unit authorization, enforcement

13 V.S.A. § 7043: Standards for Restitution Judgment Order

13 V.S.A. § 5365: Standards for disbursements from Restitution Special Fund

13 V.S.A. § 5364: Restitution Unit subrogation lien

13 V.S.A. § 5322: Public Records exemption (victims)

V.R.Cr.P. 32(g): Restitution Hearing Procedures

Special Provisions

3 V.S.A. § 164a: Diversion restitution

33 V.S.A. § 5235: Juvenile restitution

28 V.S.A. § 2a: Restorative justice restitution

13 V.S.A. § 354: Animal cruelty – special restitution

13 V.S.A. § 355: Cruelty to a guide dog – special restitution

13 V.S.A. § 2657: Human trafficking – special restitution

10 V.S.A. § 4514, 4517: Fish and game violations – special restitution

10 V.S.A. § 5403: Endangered species – special restitution

13 V.S.A. § 3602: Timber theft – special restitution
13 V.S.A. § 2022: Bad checks
13 V.S.A. § 2578: Shoplifting
33 V.S.A. § 143a: Wrongfully obtained economic assistance

Additional Enforcement Provisions

21 V.S.A. § 1314: Department of Labor employment records sharing
32 V.S.A. § 3102: Department of Taxes records sharing
33 V.S.A. § 5262: Juvenile probation
28 V.S.A. § 755: Work release
32 V.S.A. § 3113b: Lottery winnings

Victims Compensation

13 V.S.A. § 5351: Definitions
13 V.S.A. § 5353: Application requirements
13 V.S.A. § 5355: Review criteria
13 V.S.A. § 5356: Amount of Compensation
13 V.S.A. § 5357: Subrogation lien
13 V.S.A. § 5358a: Records requests; confidentiality
1 V.S.A. § 317 (c) (41): Victims Compensation public records exemption
8 V.S.A. § 4089: SANE insurance coverage mandate
13 V.S.A. § 5322: Public Records Exemption (victims)
18 V.S.A. § 1905: Hospital reimbursement rate
32 V.S.A. § 1407: Cost of SANE examinations

Evidentiary and Procedural Rules

12 V.S.A. § 1612: Patient Privilege
12 V.S.A. § 1614: Victim and Crisis Worker privilege
13 V.S.A. § 5319: Victim not a party to criminal proceeding
V.R.E. 804a, 807: Child/adult with mental illness sexual abuse evidentiary protections
V.R.E. 404(a)(2): Character of victim
13 V.S.A. § 3255(a)(3)(c): Criminal Rape shield
3 V.S.A. § 129: Office of Professional Regulation rape shield
26 V.S.A. § 1355, 1360: Medical Practice Board rape shield and confidentiality provisions
V.R.Cr.P. 16(d): Discovery rules regarding victim address and place of employment information

Civil Relief

Protection Orders

15 V.S.A. § 1103, 1104: Relief from abuse (household member)
12 V.S.A. § 5131: Orders against stalking and sexual assault (non-household member)
33 V.S.A. § 6933: Vulnerable adult abuse prevention
13 V.S.A. § 4051: Extreme risk protection orders
20 V.S.A. § 2307: Firearms relinquishment

Private Causes of Action – Special Cases

12 V.S.A. § 522: Statute of limitations for child sexual abuse civil cases

13 V.S.A. § 2662: Human trafficking private cause of action
13 V.S.A. § 5422: Civil actions to recover profits from crime
18 V.S.A. § 1882: Mental health release notification (civil relief)
15 V.S.A. § 901: Parents' liability for damages caused by minor

Employment Protections

21 V.S.A. § 472c: Protected leave
21 V.S.A. § 495d: Employment discrimination prohibition ("crime victim" protected class)
21 V.S.A. § 483: Use of earned sick time for DV, SV, Stalking victims
21 V.S.A. § 1251: Domestic and Sexual violence wage replacement
13 V.S.A. § 5313: Employer obligations for subpoenas

Miscellaneous

14a V.S.A. § 418: Interests in trusts in homicide cases
15 V.S.A. § 665: Best interests of the child (see sexual violence and human trafficking)
15 V.S.A. § 665a: Best interests of the child for domestic violence
16 V.S.A. § 570f: Harassment, hazing, and bullying in schools