



## Select Vermont Mandatory Minimum Laws

**IMPORTANT NOTE:** This is not necessarily a complete list. Laws frequently change, and these sentences may no longer be accurate or up to date. Talk with a lawyer in your state if you have questions.

### Drug Offenses

Vermont Code Section	Offense	Mandatory Minimum Sentence
18 V.S.A. § 4250	Selling or dispensing of a regulated drug to a person, and the person dies as a result of using the regulated drug	2 years

### Violent Offenses

Vermont Code Section	Offense	Mandatory Minimum Sentence
13 V.S.A. § 2303	First degree murder	35 years or life without parole†
13 V.S.A. § 2303	Second degree murder	20 years or life without parole†
13 V.S.A. § 2311	Aggravated murder	Life*
13 V.S.A. § 2701	Maiming	7 years or life
13 V.S.A. § 608(b)	Assaulting and robbing another while armed with a dangerous weapon	1 year
13 V.S.A. § 608(c)	Committing or attempting to commit an assault and robbery of another, armed or unarmed, with bodily injury resulting	1 year

†A safety valve applies to these offenses. See Vermont Safety Valves, on FAMM's website.

\*The sentence may not be probated, suspended, or deferred; defendant is not eligible for parole, work-release, or noncustodial furlough except when serious medical services make custodial furlough inappropriate.



### Sex Offenses

Vermont Code Section	Offense	Mandatory Minimum Sentence
13 V.S.A. § 3252	<p>Sexual Assault:</p> <ul style="list-style-type: none"> <li>- compelling another person to participate in a sexual act without that person's consent, by threatening or coercing the other person, or by placing the other person in fear that any person will suffer imminent bodily injury</li> <li>- engaging in a sexual act with another person and substantially impairing the person's ability to appraise or control their conduct by administering or employing drugs or intoxicants without the knowledge or against the will of the other person</li> <li>- engaging in a sexual act with a child who is under the age of 18 and is entrusted to the defendant's care by authority of law or is the defendant's child, grandchild, foster child, adopted child, or stepchild</li> <li>- engaging in a sexual act with a child under the age of 16 if the victim is entrusted to the defendant's care by authority of law or is the defendant's child, grandchild, foster child, adopted child, or stepchild</li> <li>- the defendant is at least 18 years of age, resides in the victim's household, and serves in a parental role with respect to the victim, and the victim is under age 16.</li> </ul>	3 years
13 V.S.A. § 3253	<p>Aggravated Sexual Assault: Defendant commits a sexual assault and, at the time of the assault,</p> <ul style="list-style-type: none"> <li>- Causes serious bodily injury to the victim or to another, or</li> <li>- Is joined or assisted by one or more people in physically restraining, assaulting, or sexually assaulting the victim, or</li> <li>- Commits the sexual act under circumstances which constitute the crime of kidnapping, or</li> <li>- Has a prior Vermont conviction for sexual assault under § 3252(a) or (b) or aggravated sexual assault or has been convicted in any jurisdiction or territory in the United States for an offense which would constitute sexual assault under § 3252(a) or (b) or aggravated sexual assault if committed in Vermont, or</li> <li>- Is armed with a deadly weapon and uses or threatens to use the deadly weapon on the victim or on another, or</li> <li>- Threatens to cause imminent serious bodily injury to the victim or to another, and the victim reasonably believes that the actor has the present ability to carry out the threat, or</li> <li>- Applies deadly force to the victim, or</li> <li>- Is at least 18 years old, and the victim is under age 13, or</li> <li>- Subjects the victim to repeated nonconsensual sexual acts as part of the same occurrence or the defendant's common scheme and plan.</li> </ul>	10 years*†



**Sex Offenses, cont.**

13 V.S.A. § 2602	Lewd or lascivious conduct with a child under age 16 <ul style="list-style-type: none"> <li>- 1st offense</li> <li>- 2nd offense</li> <li>- 3rd and subsequent offenses</li> </ul> Exception: This is not a crime if the child is at least 15 years old and the defendant is less than 19 years old	2 years 5 years*† 10 years*†
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†A safety valve applies to these offenses. See Vermont Safety Valves, on FAMM's website.

\* The sentence may not be suspended, deferred, or served as a supervised sentence; defendant is not eligible for probation, parole, furlough, or any other type of early release until the mandatory minimum term.

**Weapons Offenses**

<b>Vermont Code Section</b>	<b>Offense</b>	<b>Mandatory Minimum Sentence</b>
13 V.S.A. § 3502	Using or directly employing against other persons a weapon of mass destruction in a form that may cause disabling illness or injury in human beings	20 years
13 V.S.A. § 3502	Using a weapon of mass destruction in a form that may cause widespread damage to or disruption of water or food supplies	5 years