



Vermont Safety Valves

IMPORTANT NOTE: Laws change frequently, and this may not be an up-to-date description of safety valves available. Talk with a lawyer in your state if you have questions about safety valves.

Vermont Code Section	Offense	Applies to
13 V.S.A. § 2602(c)(2)	Lewd or lascivious conduct with a child under age 16 <ul style="list-style-type: none"> - 2nd offense carries a 5-year mandatory minimum - 3rd and subsequent offenses carry a 10-year mandatory minimum Exception: This is not a crime if the child is at least 15 years old and the defendant is less than 19 years old	The court may sentence a person to less than the 5 or 10-year mandatory minimum sentences if it makes written findings on the record that the downward departure will serve the interests of justice and public safety.
13 V.S.A. § 3253(c)(2)	Aggravated sexual assault; carries a 10-year mandatory minimum sentence	The court may sentence a person to less than the 10-year mandatory minimum if the court makes written findings on the record that a downward departure will serve the interests of justice and public safety. Regardless, the court cannot sentence the defendant to less than 5 years in prison.
13 V.S.A. § 2303(b)	First degree murder; carries 35-year mandatory minimum	If the jury finds that there are mitigating factors that justify a different minimum term, court may sentence defendant below 35 years. Regardless, the court cannot sentence the defendant to less than 15 years in prison.
13 V.S.A. § 2303(c)	Second degree murder; carries a 20-year mandatory minimum	If the jury finds that there are mitigating factors that justify a different minimum term, court may sentence defendant below 20 years. Regardless, the court cannot sentence the defendant to less than 10 years in prison.