

Stop Street Harassment

Vermont

A variety of forms of street harassment are illegal in Vermont, including verbal harassment, up-skirt photos, indecent exposure, following, groping, and hate crimes. Here are the laws and reporting procedures you need to know.

Verbal Harassment

In Vermont, there are two laws that prohibit some form of verbal street harassment.

Disorderly Conduct

[Title 13, Chapter 19, § 1026](#)

In Vermont, it is illegal for anyone to:

- Use abusive or obscene language.
- Make unreasonable noise.
- Engage in violent or threatening behavior in a public place with the intent of causing a public inconvenience or annoyance.

Many types of street harassment could qualify as disorderly conduct, such as harassers shouting at you, making lewd or sexually explicit comments, making abusive remarks like “fat cow,” or “ugly dyke,” or making threats to follow or assault someone. If someone is verbally harassing you in this way, you can report him/her.

Penalty: The penalty for disorderly conduct is imprisonment for up to 60 days or a fine of up to \$500, or both.

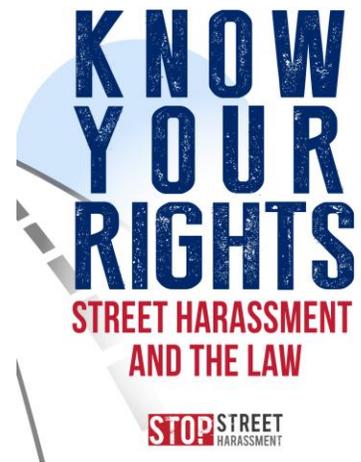
Stalking

[Title 13, Chapter 19, § 1062](#)

Vermont’s stalking law prohibits intentionally harassing another person on at least two separate occasions with no legitimate purpose for the actions. The harassment may be done verbally or through writing, telephone or electronic means.

If someone has verbally harassed you on multiple occasions (for example, the same person always harasses you at your bus stop or at the park in your neighborhood) and you fear s/he may touch you or harm you, you can report him/her.

Penalty: Anyone who is found guilty of stalking may face up to two years in prison, a fine of up to \$5,000, or both.



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Unlawful Filming/Photographing

Voyeurism

[Title 13, Chapter 59, § 2605](#)

It is illegal in Vermont for anyone to photograph, film or otherwise record a non-consenting person:

- If s/he is in a place where s/he should expect privacy.

If a harasser films or photographs you someplace like public restrooms, dressing rooms, locker rooms, and hotel rooms, you can report him/her.

- If s/he believes his/her intimate areas should not be visible, such as anytime someone is in public and his/her clothes completely cover his/her intimate parts.

If a street harasser takes an up-skirt or down-blouse photo of you, or otherwise observes or photographs you in an inappropriate way, you can report him/her.

- Spying on someone with the intent of purposely invading his or her privacy is also illegal under this law.

Penalty: The Penalty for voyeurism is up to two years in prison, or a fine of up to \$1,000, or both. The penalty increases if the defendant is a repeat offender.

Indecent Exposure

Lewd and Lascivious Conduct

[Title 13, Chapter 59, § 2601](#)

It is illegal for anyone to engage in lewd and lascivious conduct in a public place, including public indecency and public masturbation.

If a harasser flashes or otherwise exposes him or herself to you in a public place, such as a park, on public transportation, or in a store, you can report him/her.

Penalty: A person found guilty of lewd and lascivious conduct may face a prison sentence of up to five years, a fine of up to \$300, or both.

Following

If you think someone is following you, you can call 911 right away, the first time it happens. You do not have to wait for that person to commit a crime.

Stalking

[Title 13, Chapter 19, § 1062](#)

Stalking is illegal in Vermont. It is illegal for anyone to intentionally follow, lay in wait for, or harass someone on at least two separate occasions, with no legitimate purpose for the actions.

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If the same person, on more than one occasion, follows you or harasses you and you feel threatened and unsafe, you can report that person.

Penalty: Anyone who is found guilty of stalking may face up to two years in prison, a fine of up to \$5,000, or both. The Penalty may be more severe if the defendant is a repeat offender.

Groping

Simple Assault

[Title 13, Chapter 19, § 1023](#)

Unlike other states, Vermont doesn't have a law that specifically addresses groping – a street harasser grabbing, touching, or rubbing your butt, crotch, or breasts without your consent.

Simple assault seems to be the closest law. It prohibits someone from attempting to cause or purposely or knowingly causing bodily injury to another person.

If someone makes unwanted physical contact with you or does something that put you in immediate fear of physical injury, you can report him/her.

Penalty: A person convicted of simple assault may be penalized with up to one year in prison and up to \$1,000 in a fine, or both.

Hate Crimes

Hate Motivated Crimes

[Title 13, Chapter 31, § 1455](#)

A hate crime occurs any time a crime is carried out because of a bias against a victim's actual or perceived:

- Age
- Ancestry
- Color
- Gender identity
- Handicap
- National origin
- Race
- Religion
- Service in the U.S. armed forces
- Sex
- Sexual orientation

In Vermont, [typical hate crimes](#) include assault, unlawful mischief (damage or destruction of property), telephone harassment, and disorderly conduct (by public yelling of threats and abuse).

An example of a hate crime in the context of street harassment might be someone following you and shouting something like, "Don't you know you shouldn't be here because you're [a woman/gay/black/white/latina/etc.]? I should [violent threat] so you'll stay inside." Depending on the

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situation, this kind of verbal harassment could be considered assault, and so the accompanying indication of bias may elevate the offense to a hate crime.

Penalty: The penalty for a hate crime varies depending on the Penalty of the underlying crime. Typically, the Penalty will range from a prison sentence of up to two years, a fine of up to \$2,000, or both.

Reporting Crimes to the Police

- Call 911 for help if:
 - The crime is in progress
 - You or someone else is physically hurt or have been threatened with physical violence
 - You can provide information about who may have committed a crime.

- Call the local police office's non-emergency number to submit a report afterward. For example, in Burlington, the number is (802) 658-2704, and in Montpelier it's (802) 223-3445. Be prepared to provide them with:
 - When it happened (date and time).
 - Where it happened (street location, store location, bus line or bus stop, park name, etc).
 - Who is reporting (your name, contact information, date of birth).
 - The name and contact information of witnesses, if you spoke to any.
 - A description of what happened. It can be helpful to include the law the crime falls under, such as, Stalking, Title 13, Chapter 19, § 1062. If you're not sure which law you should use to report an incident of street harassment, just tell the police what happened and s/he or the district attorney's office can determine the appropriate charges.
 - A description of the harasser/s.

- Some police departments also allow you to anonymously text a tip about a crime, for example if you see a group of people routinely harassing passersby at the same location. Visit your local police department website for information.
 - In Bennington, you can send a tip via an [online form](#).
 - Across Vermont, you can contact the Vermont State Police by texting "CRIMES" (274637) to Keyword: VTIPS.

- Once you've reported a crime, if you've provided your contact information, within a few days, you will receive a call with a police report case number and may have to answer follow-up questions. Save a copy of the police report for your records.

If someone tries to tell you that street harassment "isn't a big deal," or isn't illegal, don't buy it. You always have the right to be free from sexual harassment and assault in public.