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H.720

Introduced by Representative Carroll of Bennington

Referred to Committee on

Date:

Subject: Court procedure; pleading and practice; abusive discovery by self-
represented party

Statement of purpose of bill as introduced: This bill proposes to require, if a
criminal defendant publicizes discovery information received by the
prosecution for the purpose of abusing, harassing, intimidating, threatening, or
damaging the reputation of a person identified in the discovery information,
that the court order the defendant to cease the improper use of the information
and fine the defendant not more than \$10,000.00.

An act relating to improper disclosure of discovery information in criminal
proceedings

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 13 V.S.A. § 6608 is added to read:

§ 6608. DISCLOSURE OF DISCOVERY FOR IMPROPER PURPOSE;

CIVIL CONTEMPT

(a) If a criminal defendant in a prosecution in the Criminal Division of the
Superior Court publicizes discovery information received from the prosecution

1 for the purpose of abusing, harassing, intimidating, threatening, or damaging
2 the reputation of a person identified in the discovery information, the court
3 shall:

4 (1) issue an order requiring the defendant to cease the improper use of
5 the discovery information; and

6 (2) assess a civil penalty of not more than \$10,000.00 against the
7 defendant.

8 (b) A person who fails to comply with an order issued under subsection (a)
9 of this section shall be subject to civil contempt proceedings under 12 V.S.A.
10 chapter 5.

11 Sec. 2. EFFECTIVE DATE

12 This act shall take effect on passage.