

1 S.80

2 Introduced by Senators Rodgers and Starr

3 Referred to Committee on

4 Date

5 Subject: Crimes; crime victims; sex offender registry; community notification

6 Statement of purpose of bill as introduced: This bill proposes to require

7 community notification when a registered sex offender, whose information

8 must be posted on the Internet, establishes residence in Vermont, registers an

9 address change, or is released from confinement or supervision.

10 An act relating to mandatory community notification regarding registered
11 sex offenders

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

13 Sec. 1. 13 V.S.A. § 5411c is amended to read:

14 § 5411c. ACTIVE COMMUNITY NOTIFICATION BY THE

15 DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF

16 CORRECTIONS, AND LOCAL LAW ENFORCEMENT

17 (a) ~~Notwithstanding other provisions to the contrary, the department, the~~
18 ~~department of corrections, and any authorized local law enforcement agency~~
19 ~~are authorized to notify members of the public at their discretion about any sex~~

1 ~~offender whose information is required to be posted on the Internet in~~
2 ~~accordance with section 5411a of this title.~~

3 (1) Within five days of a sex offender notifying the Department in
4 accordance with section 5407 of this title that he or she has established
5 residence in Vermont or that he or she has changed addresses, the Department
6 shall notify members of the public about the change in address if the offender's
7 information is required to be posted on the Internet in accordance with section
8 5411a of this title.

9 (2) Within five days of the release of a registered offender from
10 confinement or supervision, the Department of Corrections shall notify
11 members of the public about the release from confinement or supervision if the
12 offender's information is required to be posted on the Internet in accordance
13 with section 5411a of this title.

14 (3) Local law enforcement may notify at their discretion members of the
15 public about any sex offender whose information is required to be posted on
16 the Internet in accordance with section 5411a of this title.

17 (4) The Department and the Department of Corrections shall adopt rules
18 to specify the manner and procedure for community notification required by
19 this section.

20 (b) ~~The department, the department of corrections~~ Department, the
21 Department of Corrections, and any authorized local law enforcement agency

1 are authorized to notify members of the public at their discretion about a sex
2 offender whose information is not required to be posted on the Internet in
3 accordance with section 5411a of this title only under circumstances which
4 constitute a compelling risk to public safety and only after consultation with
5 the Vermont ~~crime information center and the department of corrections~~ Crime
6 Information Center and the Department of Corrections.

7 (c) Registry information shall not be released under this section unless it is
8 released pursuant to written protocols governing the manner and circumstances
9 of the release developed by the ~~department, the department of corrections~~
10 Department, the Department of Corrections, or an authorized law enforcement
11 agency. The protocols shall include consultation between the department or
12 agency releasing the information and the ~~department of corrections'~~
13 Department of Corrections' staff member responsible for supervising the
14 offender.

15 (d) Active community notification regarding registered sex offenders who
16 may pose a danger to members of the community is an important public safety
17 tool which the ~~general assembly~~ General Assembly intends for authorized
18 agencies to use at their discretion in accordance with this subchapter.

19 Sec. 2. EFFECTIVE DATE

20 This act shall take effect on July 1, 2013.