



Vermont's Sex Offender Registry Requirements

13 VSA §§ 5401, 5407, 5409

A person is required to report to the Sex Offender Registry upon conviction for any of the following offenses or an attempt to commit such offense:

<p>Vermont offenses 13 VSA § 5401(10)(A)(i)-(ix)</p>	<p>Sexual assault as defined in 13 VSA § 3252.</p> <p>Aggravated sexual assault as defined in 13 VSA § 3253.</p> <p>Lewd and lascivious conduct as defined in 13 VSA § 2601.</p> <p>Sexual abuse of a vulnerable adult as defined in 13 VSA § 1379.</p> <p>Second or subsequent conviction for voyeurism as defined in 13 VSA § 2605(b)</p> <p>Kidnapping with intent to commit sexual assault as defined in 13 VSA sec. 2405(a) 0 ..</p> <p>Aggravated sexual assault of a child in violation of 13 VSA § 3253a.</p> <p>Human trafficking in violation of 13 VSA § 2654(1)(4).</p> <p>Aggravated human trafficking in violation of 13 VSA § 2653(a)(4).</p>
<p>Federal Offenses 13 VSA § 5401(10)(A)(x)(1)-(XVI)</p>	<p>Sex trafficking of children as defined in 18 USC § 1591.</p> <p>Aggravated sexual abuse as defined in 18 USC § 2241.</p> <p>Sexual abuse as defined in 18 USC § 2242.</p> <p>Sexual abuse of a minor or a ward as defined in 18 USC § 2243.</p> <p>Abusive sexual conduct as defined in 18 USC § 2244.</p> <p>Offenses resulting in death as defined in 18 USC § 2245.</p> <p>Sexual exploitation of children as defined in 18 USC § 2251.</p> <p>Selling or buying of children as defined in 18 USC § 2251A.</p> <p>Material involving the sexual exploitation of minors as defined in 18 USC § 2252.</p> <p>Material containing child pornography as defined in 18 USC § 2252A.</p> <p>Production of sexually explicit depictions of a minor for import to the U. S. as defined in 18 USC § 2260.</p> <p>Transportation of a minor for illegal sexual activity as defined in 18 USC § 2421.</p> <p>Coercion and enticement of a minor for illegal sexual activity as defined in 18 USC § 2422.</p> <p>Transportation of minors for illegal sexual activity, travel with intent to engage in illicit sexual conduct with a minor; and engaging in illicit sexual conduct in foreign places as defined in 18 USC § 2423.</p> <p>Transmitting information about a minor to further criminal sexual conduct as defined in 18 USC § 2425.</p> <p>Trafficking in persons as defined in 18 USC §§ 2251-2252(a), 2260, or 2421-2423 if the violation included sexual activity, or an attempt to commit aggravated sexual abuse.</p>
<p>Offenses against Minors 13 VSA § 5401(10)(3)(i)(4x) <i>An offense against a minor is NOT considered an offense for purposes of the Registry if the perpetrator is under the age of 18 and the victim is at least 12 years old.</i></p>	<p>Any offense listed in 13 VSA § 5401(10)(A).</p> <p>Kidnapping as defined in 13 VSA § 2405(a)(1)(D).</p> <p>Lewd and lascivious conduct with a child as defined in 13 VSA § 2602.</p> <p>Slave traffic as defined in 13 VSA § 2635.</p> <p>Sexual exploitation of children as defined in 13 VSA chapter 64.</p> <p>Procurement or solicitation as defined in 13 VSA § 2632(a)(6).</p> <p>Aggravated sexual assault of a child as defined in 13 VSA § 3253a.</p> <p>Sex trafficking of children or sex trafficking by force, fraud, or coercion as defined in 13 VSA § 2635a.</p> <p>Sexual exploitation of a minor as defined in 13 VSA § 3258.</p>
<p>Convictions for equivalent offenses in another state</p>	<p>A person who takes up residence within this State, other than within a correctional facility, and who has been convicted in any jurisdiction of the United States, including a state, territory, commonwealth, the District of Columbia, or military, federal, or tribal court, for a sex crime the elements of which would constitute a crime under 13 VSA § 5401(10)(A) or (B) if committed in this State. 13 VSA § 5401(10)(C).</p>
<p>Requirement to register in another state; exception for conduct between juveniles</p>	<p>A person 18 years of age or older who resides in this State, other than in a correctional facility, and who is currently or, prior to taking up residence within this State, was required to register as a sex offender in any jurisdiction of the United States, including a state, territory, commonwealth, the District of Columbia, or military, federal, or tribal court; except that, for purposes of this subdivision, conduct which is criminal only because of the age of the victim shall not be considered an offense for purposes of the registry if the perpetrator is under the age of 18 and the victim is at least 12 years old. 13 VSA § 5401(10)(D).</p>

Nonresident working, or student in Vermont	A nonresident sex offender who crosses into Vermont and who is employed, carries on a vocation, or is a student. 13 VSA § 5401(10)(E).
PENALTIES 13 VSA § 5409.	
First offense	Except as provided in 13 VSA § 5409(b)(failure to comply for 5 or more days), a sex offender who knowingly fails to comply with any provision of this subchapter shall be imprisoned for not more than 2 years or fined not more than \$1,000.00 or both . A sentence imposed under this subdivision shall run consecutively to any sentence being served by the sex offender at the time of sentencing. § 5409(a)(1).
Second or subsequent offense	For a second or subsequent offense, be imprisoned not more than three years or fined not more than \$5000.00, or both . A sentence imposed under this subdivision shall run consecutively to any sentence being served by the sex offender at the time of sentencing. § 5409(a)(2).
Failure to comply for 5 or more days	A sex offender who knowingly fails to comply with any provision of this subchapter for a period of more than five consecutive days shall be imprisoned not more than five years or fined not more than \$5000.00, or both . A sentence imposed under this subsection shall run consecutively to any sentence being served by the sex offender at the time of sentencing. 13 VSA § 5409(b).
FREQUENCY AND DURATION OF REPORTING REQUIREMENT 13 VSA § 5407.	
Annual Requirement	A sex offender shall report to the department annually within 10 days after the registrant's birthday. §5407(a)(2) . See exceptions for Sexually Violent Predator and High Risk Sex Offenders
Additional reporting requirements	Except as provided in 13 VSA § 5411d (noncompliant high risk sex offender), a sex offender shall report to the department within 3 days after: any change of address § 5407(a)(3); enrollment in a postsecondary educational institution § 5407(a)(4); any change in place of employment §5407(a)(5); any name change § 5407(a)(6); or a child under the age of 18 moving into the residence of the registrant. §5407(a)(7) .
Living, working, or going to school in another state	If a sex offender changes residence to another state, or crosses into another state for purposes of employment, carrying on a vocation, or being a student, the sex offender shall notify the department of the new address and shall also register with the designated law enforcement agency in the new state not later than 3 days after establishing residence in the new state, if the new state has a registration requirement. 13 VSA § 5407(b).
Conviction for registry offense in another state	If convicted of a registry offense in another state, within 10 days after either establishing residence in this state or crossing into this state for purposes of employment, carrying on a vocation, or being a student.
Sexually violent predator	If a person is determined to be a sexually violent predator, that person shall report to the department every 90 days. § 5407(a)(2) .
High-risk sex offender	If a person is designated as a high risk sex offender pursuant to 13 VSA sec. 5411b, that person shall report to the department within 36 hours and shall report whether a child under the age of 18 resides at such address § 5407(a)(3) . For other requirements for "noncompliant" high risk offenders see § 5411d (b)-(e).
10 year reporting requirement 13 VSA §	5407(e) Except for offenders with life time reporting requirements, a person required to register as a sex offender under this subchapter shall continue to comply with this section, except during periods of incarceration, until 10 years have elapsed since the person was released from prison or discharged from parole, supervised release, or probation, whichever is later . The 10 year period shall not be affected or reduced in any way by the actual duration of the offender's sentence as imposed by the court, nor shall it be reduced by the offender's release on
Lifetime registration requirement 13 VSA §§ 5407(f)(1)-(4):	A prior conviction for an offense listed in 13 VSA § 5407(10) or a comparable offense in another jurisdiction A conviction for sexual assault as defined in 13 VSA § 3252 or aggravated sexual assault as defined in 13 VSA § 3253; however, if a person convicted under 13 VSA § 3252 is not more than six years older than the victim of the assault and if the victim is 14 years or older, then the offender shall not be required to register for life if the age of the victim was the basis for the conviction. 13 VSA § 5407(f)(2). Designation as a sexually violent predator pursuant to 13 VSA § 5405. 13 VSA § 5407(0(3)). Designation as a noncompliant high-risk sex offender pursuant to 13 VSA § 5411d. 13 VSA § 5407(0(4)).