

State of Vermont House of Representatives



Montpelier, Vermont

Joint House Resolution

J.R.H. 17

Joint resolution requesting the Department of Corrections and the Department of Public Safety to conduct a collaborative study of post-release confinement and supervision for certain high-risk sex offenders

Offered by: Representatives Wright of Burlington, Batchelor of Derby, Bouchard of Colchester, Canfield of Fair Haven, Cupoli of Rutland City, Devereux of Mount Holly, Dickinson of St. Albans Town, Fagan of Rutland City, Hebert of Vernon, Higley of Lowell, Hubert of Milton, Johnson of Canaan, Juskiewicz of Cambridge, Koch of Barre Town, Komline of Dorset, Lawrence of Lyndon, Martin of Wolcott, McFaun of Barre Town, Morrissey of Bennington, Myers of Essex, Savage of Swanton, Shaw of Pittsford, Shaw of Derby, Strong of Albany, Terenzini of Rutland Town, and Winters of Williamstown

Whereas, Act 192 of 2006 enacted 13 V.S.A. § 3271, establishing indeterminate life sentences for a sex offender convicted of a designated crime, and for a high-risk sex offender not complying with sex offender registry requirements, and

Whereas, Act 192 also required that a sex offender convicted of a designated crime must, in most instances, complete treatment and program requirements before becoming eligible for release, and

Whereas, Act 1 of 2009 enacted 28 V.S.A. § 204b, requiring that a high-risk sex offender must serve 70 percent of his or her maximum sentence before being eligible for parole or release, and enacted 13 V.S.A. § 3253a, establishing the crime of aggravated sexual assault of a child, with a mandatory prison term of 25 years to life, and

Whereas, both the Act 192 and Act 1 provisions are only applicable prospectively from their respective effective dates, and

Whereas, a group of high-risk sex offenders, convicted prior to 2009, remains free from the stricter sentence and treatment requirements, and poses a potential threat to the public as they are released into Vermont communities, and

Whereas, in 2013, a convicted high-risk sex offender, whose victim was a juvenile, moved into the town of Hyde Park 1.5 miles from a public school, and

Whereas, on February 4, 2014, another high-risk sex offender was released from prison into Burlington without Department of Corrections supervision, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly requests the Department of Corrections and the Department of Public Safety to conduct a joint study of possible options for ensuring public safety, including the use of civil confinement, 24-hour GPS electronic monitoring, and any other legislation, administrative rule, program, or policy that will provide stronger release and supervision enforcement, and be it further

Resolved: That the two departments are requested to submit their collaborative findings, including proposed recommendations for actions to be taken, to the General Assembly on or before March 25, 2014, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to the Commissioners of Corrections and of Public Safety.