

1 H.165

2 Introduced by Representatives Smith of Derby, Batchelor of Derby, Beck of
3 St. Johnsbury, Graham of Williamstown, Gregoire of Fairfield,
4 Hango of Berkshire, Morgan, L. of Milton, Page of Newport
5 City, and Yantachka of Charlotte

6 Referred to Committee on

7 Date:

8 Subject: Crimes; sex offender registration; active community notification

9 Statement of purpose of bill as introduced: This bill proposes that prior to the
10 release from confinement of a sex offender who has offended against a minor,
11 the Department of Corrections shall notify neighbors whose property abuts the
12 property where the sex offender will reside of the offender's registry status and
13 his or her plans to reside at the specific location.

14 An act relating to requiring active community notification upon release of
15 sex offender who committed an offense against a minor

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

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

18 § 5411c. ACTIVE COMMUNITY NOTIFICATION BY THE

19 DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF

20 CORRECTIONS, AND LOCAL LAW ENFORCEMENT

1 (a)(1) Notwithstanding other provisions to the contrary, the Department,
2 the Department of Corrections, and any authorized local law enforcement
3 agency are authorized to notify members of the public at their discretion about
4 any sex offender whose information is required to be posted on the Internet in
5 accordance with section 5411a of this title.

6 (2) Not less than 30 days prior to release of a sex offender from
7 confinement, the Department of Corrections shall notify tenants and owners of
8 property abutting the property where the sex offender will reside upon release
9 if:

10 (A) the sex offender's information is required to be posted on the
11 Internet in accordance with section 5411a of this title;

12 (B) the registrable offense was committed against a minor; and

13 (C) the offender has not completed his or her sentence and will
14 continue to be supervised by the Department of Corrections at the residence.

15 (b) The Department, the Department of Corrections, and any authorized
16 local law enforcement agency are authorized to notify members of the public at
17 their discretion about a sex offender whose information is not required to be
18 posted on the Internet in accordance with section 5411a of this title only under
19 circumstances that constitute a compelling risk to public safety and only after
20 consultation with the Vermont Crime Information Center and the Department
21 of Corrections.

1 (c) Registry information shall not be released under this section unless it is
2 released pursuant to written protocols governing the manner and circumstances
3 of the release developed by the Department, the Department of Corrections, or
4 an authorized law enforcement agency. The protocols shall include
5 consultation between the department or agency releasing the information and
6 the ~~department of corrections~~ Department of Corrections staff member
7 responsible for supervising the offender.

8 (d) Active community notification regarding registered sex offenders who
9 may pose a danger to members of the community is an important public safety
10 tool that the General Assembly intends for authorized agencies to use at their
11 discretion in accordance with this subchapter.

12 Sec. 2. EFFECTIVE DATE

13 This act shall take effect on July 1, 2021.