

1 H.842

2 Introduced by Representative Smith of Derby

3 Referred to Committee on

4 Date:

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

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

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

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

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

15 § 5411c. ACTIVE COMMUNITY NOTIFICATION BY THE

16 DEPARTMENT OF PUBLIC SAFETY, THE DEPARTMENT OF
17 CORRECTIONS, AND LOCAL LAW ENFORCEMENT

18 (a)(1) Notwithstanding other provisions to the contrary, the Department,
19 the Department of Corrections, and any authorized local law enforcement
20 agency are authorized to notify members of the public at their discretion about

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

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

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

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

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

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

19 (c) Registry information shall not be released under this section unless it is
20 released pursuant to written protocols governing the manner and circumstances
21 of the release developed by the Department, the Department of Corrections, or

1 an authorized law enforcement agency. The protocols shall include
2 consultation between the department or agency releasing the information and
3 the ~~department of corrections~~ Department of Corrections staff member
4 responsible for supervising the offender.

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

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on July 1, 2020.