

1 H.533

2 Introduced by Representative Grad of Moretown

3 Referred to Committee on

4 Date:

5 Subject: Crimes; crime victim notification

6 Statement of purpose of bill as introduced: This bill proposes to (1) require  
7 victim notification upon offender discharge from probation; (2) require law  
8 enforcement to notify victims of crimes when defendants are released with  
9 conditions after arrest; and (3) require the State's Attorney to notify victims  
10 when a defendant is released from the custody of the Department of Mental  
11 Health.

12 An act relating to victim notification

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

14 Sec. 1. 13 V.S.A. § 5305 is amended to read:

15 § 5305. INFORMATION CONCERNING RELEASE FROM  
16 CONFINEMENT

17 (a) Victims, other than victims of acts of delinquency, and affected persons  
18 shall have the right to request notification by the agency having custody of the  
19 defendant before the defendant is released, including a release on bail or  
20 conditions of release, furlough or other community program, upon termination

1 or discharge from probation, or whenever the defendant escapes, is recaptured,  
2 dies, or receives a pardon or commutation of sentence. Notice shall be given  
3 to the victim or affected person as expeditiously as possible at the address or  
4 telephone number provided to the agency having custody of the defendant by  
5 the person requesting notice. Any address or telephone number so provided  
6 shall be kept confidential.

7 (b)(1) If the defendant is released back into the community on conditions of  
8 release after arrest, the investigating law enforcement agency shall inform the  
9 victim of a listed crime of the conditions of release.

10 (2) If the defendant is released on conditions at arraignment, the  
11 prosecutor's office shall inform the victim of a listed crime of the conditions of  
12 release.

13 (c) If requested by a victim of a listed crime, the ~~department of corrections~~  
14 Department of Corrections shall:

15 (1) at least 30 days before a parole board hearing concerning the  
16 defendant, inform the victim of the hearing and of the victim's right to testify  
17 before the parole board or to submit a written statement for the parole board to  
18 consider; and

19 (2) promptly inform the victim of the decision of the parole board,  
20 including providing to the victim any conditions attached to the defendant's  
21 release on parole.

1        (d) If the defendant is released from the custody of the Vermont  
2        Department of Mental Health, the Department shall notify the State's  
3        Attorney's office before the defendant is released for the purpose of victim  
4        notification by the State's Attorney's office.

5        Sec. 2. EFFECTIVE DATE

6        This act shall take effect on passage.