

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2015

Bill Number: H.16 Name of Bill: An act relating to requiring an inmate to report to the Sex Offender Registry prior to release from a correctional facility

Agency/Dept: DPS/VCIC Author of Bill Review: Jeffrey Wallin

Date of Bill Review: 1/30/2015 Related Bills and Key Players: _____

Status of Bill: (check one)

Upon Introduction As passed by 1st body As passed by both bodies

Recommended Position:

Support Oppose Remain Neutral Support with modifications identified in # 8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** *Describe what the bill is intended to accomplish and why.*
This bill proposes to require a sex offender who serves his or her maximum sentence to register with the SOR prior to their release from a correctional facility.
2. **Is there a need for this bill?** *Please explain why or why not.*
Within current statute there is a potential situation where an offender who 'maxes out' their sentence and is released from a correctional facility may not have to immediately register with the SOR. Specifically, 13 V.S.A. § 5407(a) lists the reasons that an individual is required to report and this particular eventuality is not listed (currently authority to request this information was being derived from a change of address provision that contained a three-day window). Generally speaking offenders have been willing to provide the SOR with this information prior to release. The proposed language brings this notification to requirement status and provides the Department of Corrections (DOC) with the necessary tools to complete this task prior to release.
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?**
Given the small numbers of individuals affected by this language (those that are not already complying with this requirement voluntarily) there are no appreciable fiscal or programmatic implications.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?**
The DOC is tasked with undertaking a new activity but as this bill brings statute in line with current general practice they have expressed support for the language as well.
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** *(for example, public, municipalities, organizations, business, regulated entities, etc)*
As this bill seeks to strengthen SOR requirements, it would be expected that the public at large would support the proposed change. Additionally, as the language brings statute in line with practice it is not expected that there would be any additional implications for other parties that are not already affected by SOR issues generally.
6. **Other Stakeholders:**

6.1 Who else is likely to support the proposal and why?

Law Enforcement, Victim Advocates

6.2 Who else is likely to oppose the proposal and why?

None anticipated

7. Rationale for recommendation: *Justify recommendation stated above.*

As this bill is primarily technical in nature and brings language in statute current with best practice there appears to be no reason to oppose the bill at this time.

8. Specific modifications that would be needed to recommend support of this bill: *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

9. Gubernatorial appointments to board or commission?

Secretary/Commissioner has reviewed this document

A handwritten signature in black ink, appearing to be "Laura Gray", written over a faint rectangular stamp.

Date: 02/17/15