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Sex Offender Registry Requirements Manual

Vermont Department of Corrections
Dated June 6, 2018

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What offenses constitute a registerable sex offender?

Sex Offender: A sex offender is defined in Vermont statute, [13 V.S.A. § 5401\(10\)](#), as:

A. A person who is convicted of any of the following **Vermont offenses**:

- i. Sexual assault as defined in [13 V.S.A. § 3252](#);
- ii. Aggravated sexual assault as defined in [13 V.S.A. § 3253](#);
- iii. Lewd and lascivious conduct as defined in [13 V.S.A. § 2601](#);
- iv. Sexual abuse of a vulnerable adult as defined in [13 V.S.A. § 1379](#);
- v. Voyeurism- Second or subsequent conviction as defined in [13 V.S.A. § 2605\(b\) or \(c\)](#);
- vi. Kidnapping with intent to commit sexual assault as defined in [13 V.S.A. § 2405\(a\)\(1\)\(D\)](#);
- vii. Aggravated sexual assault of a child in violation of [13 V.S.A. § 3253a](#);
- viii. Human trafficking in violation of [13 V.S.A. § 2652\(a\)\(1\)-\(4\)](#);
- ix. Aggravated human trafficking in violation of [13 V.S.A. § 2653\(a\)\(4\)](#); and
- viii. An attempt to commit any offense listed above.

B. A person who is **convicted of any of the following offenses against a victim who is a minor**, except that, for purposes of this section, conduct which is criminal only because of the age of the victim shall not be considered an offense for purposes of the Registry if the perpetrator is under the age of eighteen and the victim is at least twelve years old:

- i. Any offense listed in Section A (above) and C (below);
- ii. Kidnapping as defined in [13 V.S.A. § 2405\(a\)\(1\)\(D\)](#);
- iii. Lewd and lascivious conduct with a child as defined in [13 V.S.A. § 2602](#);
- iv. Slave traffic as defined in [13 V.S.A. § 2635](#);
- v. Sexual exploitation of children as defined in [13 V.S.A. §§ 2822, 2823, 2824, 2827 and 2828](#); which includes Use of a Child in a Sexual Performance; Consenting to a sexual performance; Promoting of Recording of a Sexual Performance; Possession of Child Pornography; and Luring a Child.
- vi. Prohibited Acts- Procurement or solicitation as defined in [13 V.S.A. § 2632\(a\)\(6\)](#);
- vii. Aggravated sexual assault of a child as defined in [13 V.S.A. § 3253a](#);
- viii. Sex trafficking of children or sex trafficking by force, fraud, or coercion as defined in [13 V.S.A. § 2652](#);
- ix. Sexual exploitation of a minor as defined in [13 V.S.A. § 3258](#); and
- x. An attempt to commit any offense listed directly above.

C. A person who has a **federal conviction in federal court** for any of the following offenses:

- i. Sex trafficking of children as defined in [18 U.S.C. § 1591](#);

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- ii. Aggravated sexual abuse as defined in [18 U.S.C. § 2241](#);
- iii. Sexual abuse as defined in [18 U.S.C. § 2242](#);
- iv. Sexual abuse of a minor or ward as defined in [18 U.S.C. § 2243](#);
- v. Abusive sexual contact as defined in [18 U.S.C. § 2244](#);
- vi. Offenses resulting in death as defined in [18 U.S.C. § 2245](#);
- vii. Sexual exploitation of children as defined in [18 U.S.C. § 2251](#);
- viii. Selling or buying of children as defined in [18 U.S.C. § 2251A](#);
- ix. Material involving the sexual exploitation of minors as defined in [18 U.S.C. § 2252](#);
- x. Material containing child pornography as defined in [18 U.S.C. § 2252A](#);
- xi. Production of sexually explicit depictions of a minor for import into the United States as defined in [18 U.S.C. § 2260](#);
- xii. Transportation of a minor for illegal sexual activity as defined in [18 U.S.C. § 2421](#);
- xiii. Coercion and enticement of a minor for illegal sexual activity as defined in [18 U.S.C. § 2422](#);
- xiv. Transportation of minors for illegal sexual activity, travel with the intent to engage in illicit sexual conduct with a minor, and engaging in illicit sexual conduct in foreign places as defined in [18 U.S.C. § 2423](#);
- xv. Transmitting information about a minor to further criminal sexual conduct as defined in [18 U.S.C. § 2425](#).
- xvi. Trafficking in persons as defined in [18 U.S.C. §§ 2251-2252\(a\), 2260, or 2421-2423](#) if the violation included sexual abuse, aggravated sexual abuse, or the attempt to commit aggravated sexual abuse; and
- xvi. An attempt to commit any offense listed in this section (above).

D. A person who takes up residence within Vermont, other than within a correctional facility, and who has been convicted in any jurisdiction within the United States, including a state territory, commonwealth, the District of Columbia or military, federal, or tribal court, for a sex crime the elements of which would constitute a crime listed under [13 V.S.A. § 5401\(10\) \(A\) & \(B\)](#) if committed in Vermont.

E. A person eighteen years of age or older who resides in Vermont other than in a correctional facility, and who is currently required to register, or prior to taking up residence within Vermont was required to register as a sex offender in any jurisdiction within the United States, including a state, territory, commonwealth, the District of Columbia, or military, federal, or tribal court; except that, for the purpose of this section, conduct which is criminal only because of age of the victim shall not be considered an offense for the purpose of the Registry if the perpetrator is under the age of 18 and the victim is at least twelve years old.

F. A non-resident sex offender who crosses into Vermont and who is employed, carries on a vocation, or is a student.

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G. An offender with a registerable offense who receives a deferred sentence is not placed on the Sex Offender Registry during the period of time where the sentence is being deferred, unless either:

1. the offender violates the terms of the deferred sentence agreement and is sentenced on the conviction in which case the offender's name is placed on the Registry, and is posted on the internet portion of the registry, for the period of time applicable to the underlying crime; or
2. if the court finds that the interest of justice warrant placing the offender's name on the Registry during the period when the sentence is deferred, in which case the offender's name is posted (though not on the Internet) only until he or she successfully completes the deferred sentence agreement.

How long will the sex offender need to register?

Sentenced or Supervised By DOC from July 1, 1996 to July 1, 2015

- A. The law requires all sex offenders convicted in the State of Vermont after July 1, 1996, as well as those convicted in any state before July 1, 1996 who were supervised in the community by the DOC as of July 1, 1996, to register with the Sex Offender Registry established at the Department of Public Safety's (DPS) Vermont Criminal Information Center (VCIC).
- a. The reporting requirement remains in effect for ten years after the sex offender was released from prison, or they are discharged from probation, or their parole has expired, whichever is later.
 - b. [13 V.S.A. § 5407\(f\)](#): The individual shall register as a sex offender and shall continue to comply with the above reporting requirement for life, except during periods of incarceration, if that person:
 - i. Has at least one prior conviction for an offense described in [13 V.S.A. § 5401\(10\)](#) or a comparable offense in another jurisdiction of the United States;
 - ii. Has been convicted of sexual assault or aggravated sexual assault ([13 V.S.A. §§ 3252 & 3253](#)). However, if a person convicted under section 3252 is not more than six years older than the victim of an assault and if the victim is fourteen years or older, then the offender is not required to register for life if the age of the victim was the basis for the conviction;
 - iii. Has been determined to be a sexually violent predator ([13 V.S.A. § 5405](#)); or
 - iv. Has been designated as a non-compliant high-risk sex offender ([13 V.S.A. § 5411d](#)).
- B. Determination of non-compliance with treatment will only apply to offenders who did not comply with DOC-recommended treatment **after March 1, 2005**.

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- a. Persons who are classified by the court as Sexually Violent Predators ([13 V.S.A. § 5405](#)) are required to report every ninety days per [13 V.S.A. § 5407\(2\)](#) to the Sex Offender Registry and within twenty-four hours of a change of address.

Sentenced After July 1, 2015

- A. The Court shall make the determination, at sentencing, as to whether the offender is required to register with the Vermont Sex Offender Registry and, if so, for how long per [13 V.S.A. § 5405a](#).

Note: The registry order should be provided by the sentencing court.

Registering an Offender

Field

Offender comes from court (sentenced) and straight to probation and parole field office with no incarceration period.

- A. Within twenty-four hours of the offender being sentenced from court, the Probation and Parole Officer (PPO) shall read the record check, review the Docket Disposition Report (DDR) from court, and contact the VCIC – Sex Offender Registry Coordinator to verify the offender is required to register. In the offender’s electronic record in the Offender Management System (OMS), the PPO shall document the requirement to register in the P&P Intake Orientation Questionnaire, in each of the Arrest Charges that require the offender to register and in a Contact Note.¹ The Contact Note shall use the category SOR-VCIC and state that the requirement was confirmed with the VCIC. The arrest charge(s) shall indicate the age of the victim, if the victim is thirteen years old or younger.
- B. Within twenty-four hours of the offender being sentenced from court, the PPO shall ask the offender if he/she must register in any other jurisdiction and document it in the P&P Intake Orientation Questionnaire in the offender’s OMS record. If a subsequent record check indicates the offender may be required to register, or the PPO has any question as to whether or not the offender should register, the PPO shall contact VCIC on the offense.
- C. Within twenty-four hours of conducting the intake interview, the PPO shall notify the offender of his or her reporting requirements under the law. The PPO shall fill out and read to the offender, the Notification of Requirement to Register form for each applicable conviction. The offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The PPO shall witness the offender’s signature and sign the Notification of Requirement to Register form.²

¹ An accuracy check should be done on each applicable arrest charge. This check shall ensure that data with regards to the charge is labeled correctly with regards to registry requirements on the conviction, the age of the victim is entered accurately, and that the status and the status date are entered accurately.

² A Notification of Requirement to Register Form is required for each applicable conviction.

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The Notification of Requirement to Register form shall be uploaded into the Arrest Charges Documents section of each applicable conviction, in the offender's OMS record.

- a. If the offender refuses to sign the Notification of Requirement to Register form, the PPO shall write an affidavit to that effect and email it to the States Attorney's Office who obtained the original conviction requiring the offender to register, as well as to the VCIC – Sex Offender Registry Coordinator, with read receipt. The PPO shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The PPO shall complete the Notification of Requirement to Register form and indicate the refusal by checking "Refused to initial and/or sign this notification". The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- D. Within twenty-four hours of conducting the intake interview, the PPO shall take a digital photograph of the offender and upload it into the offender's OMS record.
- E. Within twenty-four hours of conducting the intake interview, the PPO shall upload and/or ensure the Notification of Requirement to Register form and the digital photograph are in offender's OMS record. An individual Notification of Requirement to Register form shall be completed and uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record. The Community Corrections Program Supervisor (CCPS), or designee will receive a notification that it has been uploaded into OMS.
- F. Within twenty-four hours of conducting the intake interview, the PPO shall give a copy of the Notification of Requirement to Register form to the offender.
- G. Within twenty-four hours of conducting the intake interview, the CCPS, or designee, shall send the Notification of Requirement to Register form and the digital photograph to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CCPS or designee shall upload the VCIC email read receipt into the Arrest Charges Documents section of each applicable conviction, in the offender's OMS record.
- H. Within ten days of conducting the intake interview, the PPO shall fill out a Vermont Sex Offender Registry Registration custom form in the offender's OMS record, generate the Vermont Sex Offender Registry Registration custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Registration custom form Documents section, in the offender's OMS record.

Offender transfers from another state to Vermont and is on community supervision.

- A. Within twenty-four hours of the offender being transferred from another state, the Probation and Parole Officer (PPO) shall contact the VCIC – Sex Offender Registry Coordinator to verify the offender is required to register. In the offender's electronic record in the Offender Management System (OMS), the PPO shall document the requirement to register in in each

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of the Arrest Charges that require the offender to register, and in the P&P Intake Orientation Questionnaire, and in a Contact Note.³ The Contact Note shall use the category SOR-VCIC and state that the requirement was confirmed with the VCIC. The arrest charge(s) shall indicate the age of the victim, if the victim is thirteen years old or younger.

- B. Within twenty-four hours of the offender's transfer, the PPO shall ask the offender if he/she must register in any other jurisdiction and document it in the P&P Intake Orientation Questionnaire in the offender's OMS record. If a subsequent record check indicates the offender may be required to register, or the PPO has any question as to whether or not the offender should register, the PPO shall contact VCIC on the offense.
- C. Within twenty-four hours of conducting the intake interview, the PPO shall notify the offender of his or her reporting requirements under the law. The PPO shall fill out and read, to the offender, the Notification of Requirement to Register form for each applicable conviction. The offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The PPO shall witness the offender's signature and sign the Notification of Requirement to Register form.⁴ The Notification of Requirement to Register form shall be uploaded into the Arrest Charges Documents section of each applicable conviction, in the offender's OMS record.
 - a. If the offender refuses to sign the Notification of Requirement to Register form, the PPO shall call the Vermont State Police (VSP) to inform them of the offender's failure to register as well as email the VCIC – Sex Offender Registry Coordinator, with read receipt. The PPO shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The PPO shall complete the Notification of Requirement to Register form and indicate the refusal by checking "Refused to initial and/or sign this notification". The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS. The call to VSP shall be documented in a Contact Note, in the offender's OMS record, using the Contact Note category: SOR-Law Enforcement.
- D. Within twenty-four hours of conducting the intake interview, the PPO shall take a digital photograph of the offender and upload it into the offender's OMS record.
- E. Within twenty-four hours of conducting the intake interview, the PPO shall upload and/or ensure the Notification of Requirement to Register form and the digital photograph are in offender's OMS record. An individual Notification of Requirement to Register form shall be completed and uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.

³ An accuracy check should be done on each applicable arrest charge. This check shall ensure that data with regards to the charge is labeled correctly with regards to registry requirements on the conviction, the age of the victim is entered accurately, and that the status and the status date are entered accurately.

⁴ A Notification of Requirement to Register Form is required for each applicable conviction.

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- F. Within twenty-four hours of conducting the intake interview, the PPO shall give a copy of the Notification of Requirement to Register form to the offender. The CCPS, or designee will receive a notification that it has been uploaded.
- G. Within twenty-four hours of conducting the intake interview, the CCPS, or designee, shall send the Notification of Requirement to Register form and the digital photograph to VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CCPS or designee shall upload the VCIC email read receipt into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record.
- H. Within ten days of conducting the intake interview, the PPO shall fill out a Vermont Sex Offender Registry Registration custom form in the offender’s OMS record, generate the custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Registration custom form Documents section, in the offender’s OMS record.
- I. Within ten days of conducting the intake interview, the PPO shall verify that the VCIC – Sex Offender Registry Coordinator has a current copy of the registrant’s fingerprints. If the VCIC – Sex Offender Registry Coordinator does not have a current copy, the PPO shall coordinate to provide copies.

Facility

Offender comes into the facility for the first time for this conviction, after being sentenced.⁵

- A. Within five business days of the offender being assigned to their caseload, the CSS shall read the record check, review the DDR from court, and contact the VCIC – Sex Offender Registry Coordinator to verify the offender is required to register. In the offender’s OMS record, the CSS shall document the requirement to register in the Facility Inmate Orientation Questionnaire, in each of the charges that require the offender to register and in a Contact Note.⁶ The Contact Note shall use the category SOR-VCIC and state that the requirement was confirmed with the VCIC. The arrest charge(s) shall indicate the age of the victim, if the victim is thirteen years old or younger.
- B. Within five business days of the offender being assigned to their caseload, the CSS shall ask the offender if he/she must register in any other jurisdiction and document it in the Facility Inmate Orientation Questionnaire in the offender’s OMS record. If a subsequent record check indicates the offender may be required to register, or the CSS has any question as to whether or not the offender should register, the CSS shall contact VCIC on the offense.

⁵ If a sex offender who is required to register transfers to a new facility, it is the responsibility of the assigned CSS to ensure all registry requirements are met.

⁶ An accuracy check should be done on each applicable arrest charge. This check shall ensure that data with regards to the charge is labeled correctly with regards to registry requirements on the conviction, the age of the victim is entered accurately, and that the status and the status date are entered accurately.

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- C. Within five business days of the offender being assigned to their caseload, the CSS shall notify the offender of his or her reporting requirements under the law. The CSS shall fill out and read, to the offender, the Notification of Requirement to Register form for each applicable conviction. The offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The CSS shall witness the offender's signature and sign the Notification of Requirement to Register form.⁷
- a. If the offender refuses to sign the Notification of Requirement to Register form, the CSS shall write an affidavit to that effect and send it to the States Attorney's Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The CSS shall complete the Notification of Requirement to Register form and indicate the refusal by checking "Refused to initial and/or sign this notification". The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section of each applicable conviction, in the offender's OMS record
- D. Within five business days of the offender being assigned to their caseload, the CSS shall take a digital photograph of the offender and upload it into the offender's OMS record.
- E. Within five business days of the offender being assigned to their caseload, the CSS shall upload and/or ensure the Notification of Requirement to Register form and the digital photograph are in offender's OMS record. An individual Notification of Requirement to Register form shall be completed and uploaded into the Arrest Charges Documents section of each applicable conviction in the offender's OMS record.
- F. Within five business days of the offender being assigned to their caseload, the CSS shall give a copy of the Notification of Requirement to Register form to the offender.

Releasing of a Sex Offender

Facility

Offender Being Transferred to Another State Directly from a Facility to Probation or Parole via ICAOS

- A. Forty-five days prior to release, the CSS shall notify the offender of his or her reporting requirements under the law. The CSS shall fill out and read, to the offender, the Notification of Requirement to Register form for each applicable conviction. The offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The CSS shall witness the offender's signature and sign the Notification of Requirement to Register form.⁸

⁷ A Notification of Requirement to Register Form is required for each applicable conviction.

⁸ A Notification of Requirement to Register Form is required for each applicable conviction.

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- a. If the offender refuses to sign the Notification of Requirement to Register form, the CSS shall write an affidavit to that effect and send it to the States Attorney's Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator, with read receipt. The CSS shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The CSS shall complete the Notification of Requirement to Register form and indicate the refusal by checking "Refused to initial and/or sign this notification". The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- B. Forty-five days prior to release, the CSS shall take a digital photograph of the offender and upload it into the offender's OMS record.
- C. Forty-five days prior to release, the CSS shall upload and/or ensure the Notification of Requirement to Register form and the digital photograph are in offender's OMS record. An individual Notification of Requirement to Register form shall be uploaded into the Arrest Charges Documents section of each applicable conviction in the offender's OMS record.
- D. Forty-five days prior to release, the CSS shall give a copy of the Notification of Requirement to Register form to the offender.
- E. Thirty days prior to release, the CSS shall send the Notification of Requirement to Register form and the digital photograph to VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- F. Thirty days prior to release, the CSS, shall review/update the Vermont Sex Offender Registry Registration custom form in the offender's OMS record, generate the Vermont Sex Offender Registry Registration custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Registration custom form Documents section, in the offender's OMS record.
- G. Three business days prior to release, the CSS, shall verify with the VCIC – Sex Offender Registry Coordinator that they have received the registry paperwork. The CSS shall document, in a Contact Note, in the offender's OMS record, that it was verified with the VCIC – Sex Offender Registry Coordinator that all paperwork has been received, using the Contact Note category: SOR-VCIC.
- H. Twenty-four hours prior to release, the CSS shall inform the offender of the following:
 - a. If the offender changes residence to another state, the offender is required to notify the VCIC – Sex Offender Registry Coordinator of the new address.
 - b. If the new state has a registration requirement, the offender is required to register with the designated law enforcement agency in the new state no later than three days after establishing residence in that state.⁹

⁹ This is in accordance with the interstate compact procedures.

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- c. That the offender must comply with the receiving state's Sex Offender Registry requirements.
 - d. The CSS shall document this, in a Contact Note, in the offender's OMS record. The CSS shall use the Contact Note category: Sex Offender Registry.
- H. Within twenty-four hours after release, the CSS shall fill out a Vermont Sex Offender Registry Update custom form in the offender's OMS record, generate the custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

Release of an offender from a facility to community supervision¹⁰

- A. 365 days prior to release the, CSS shall determine treatment compliance by completing the Recommended Treatment Compliance custom form in the offender's OMS record. The determination of treatment compliance shall be entered into a Vermont Sex Offender Registry Registration custom form in the offender's OMS record.
 - a. If it is determined that the offender is non-compliant high-risk, then the CSS shall review the Vermont Department of Corrections High-Risk Sex Offender Non-Compliant Notice custom form report in the Recommended Treatment Compliance custom form, in OMS, with the offender.¹¹
 - b. The CSS shall complete either a Sex Offender Law Enforcement Notification custom form or a Designated High-Risk Sex Offender Law Enforcement Notification custom form, in the offender's OMS record, no less than six months prior to release. A notification will be sent to the PPO and the Field Services Operations Manager assigned to the Sex Offender Registry for approval when one of the Law Enforcement Notification custom forms is completed. Once the Field Services Operations Manager enters the approval in either the Sex Offender Law Enforcement Notification custom form or the Designated High-Risk Sex Offender Law Enforcement Notification custom form in OMS, the PPO will receive a notification the notification has been approved. The PPO shall then generate either the Sex Offender Law Enforcement Notification custom form report "Law Enforcement Notification: Standard Sex Offender Release Form" or the Designated High-Risk Sex Offender Law Enforcement Notification custom form report "Law Enforcement Notification: Designation of High-Risk Sex Offender

¹⁰ If an offender receives a sentence for an unsuspended term of incarceration, the person shall not be released until the person successfully completes all sex offender treatment and programming required by the DOC, unless the department determines releasing the offender would pose minimal risk to the community or that a program can be implemented which adequately supervises the person and addresses any risk the person may pose to the community.

¹¹ Note that the designation of non-compliant high-risk sex offender is per statute. It requires that the offender has been convicted of at least one of the following offenses: lewd & lascivious conduct with a child; sexual assault; aggregated sexual assault; or any attempt to commit any of these offense; or a comparable offense in another jurisdiction of the United States.

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Release” and send it to the appropriate law enforcement agencies, via email, with a follow-up phone call or meeting. The PPO shall document, in a Contact Note, in the offender’s OMS record, that the appropriate law enforcement agencies were notified of the offender’s release, using the Contact Note category: SOR-Law Enforcement.

- B. Forty-five days prior to release, the CSS shall notify the offender of his or her reporting requirements under the law. The CSS shall fill out and read, to the offender, the Notification of Requirement to Register form for each applicable conviction. The offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The CSS shall witness the offender’s signature and sign the Notification of Requirement to Register form.¹²
 - a. If the offender refuses to sign the Notification of Requirement to Register form, the CSS shall write an affidavit to that effect and send it to the States Attorney’s Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The CSS shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The PPO shall complete the Notification of Requirement to Register form and indicate the refusal by checking “Refused to initial and/or sign this notification”. The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record.
- C. Forty-five days prior to release, the CSS shall take a digital photograph of the offender and upload it into the offender’s OMS record.
- D. Forty-five days prior to release, the CSS uploads and/or ensures the Notification of Requirement to Register form and the digital photograph are in offender’s OMS record. An individual Notification of Requirement to Register form shall be completed and uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record.
- E. Forty-five days prior to release, the CSS shall give a copy of the Notification of Requirement to Register form to the offender.
- F. Thirty days prior to release, the CSS, shall send the Notification of Requirement to Register form and the digital photograph to VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record. The CSS shall upload the VCIC email read receipt into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record.
- G. Thirty days prior to release, the CSS, shall complete a Vermont Sex Offender Registry Registration custom form in the offender’s OMS record and verify the following

¹² A Notification of Requirement to Register Form is required for each applicable conviction.

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information is correct within the offender's OMS record: Name, DOB, Sex, Race, SSN, Height, Weight, Eye color, Hair color, Phone Numbers, Employer Info, Post-Secondary School info and charge info. The CSS shall then generate the Vermont Sex Offender Registry Registration custom form report and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Registration custom form Documents section, in the offender's OMS record.

- H. Four weeks prior to the release date of an offender who poses a high-risk to reoffend, the Field Services Operations Manager assigned to the Sex Offender Registry, shall email, with read receipt, the VCIC – Sex Offender Registry Coordinator, notifying them of the pending release. The Field Services Operations Manager assigned to the Sex Offender Registry and VCIC will consult and evaluate whether the release of the offender constitutes a compelling risk to public safety. If it is determined that the offender merits proactive notification to the community, the Field Services Operations Manager assigned to the Sex Offender Registry shall notify the law enforcement agency which has jurisdiction over the area to which the offender will be released to. The notification will include the reason(s) that the offender constitutes a compelling risk to public safety and the fact that DOC and the VCIC have been consulted. The Field Services Operations Manager assigned to the Sex Offender Registry shall document, in a Contact Note, in the offender's OMS record, that the law enforcement notification was sent out, using the Contact Note category: SOR-Law Enforcement. The Field Services Operation Manager shall upload the VCIC email read receipt, in the Contact Note Documents section, in the offender's OMS record.
- I. Upon receiving an approved residence and release date, the CSS shall fill out a Vermont Sex Offender Registry Update custom form in the offender's OMS record, completely and accurately. The CSS shall generate the Vermont Sex Offender Registry Update custom form report and email the Vermont Sex Offender Registry Update form to VCIC – Sex Offender Registry Coordinator with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.
 - a. If a sex offender is going to be residing with a child under eighteen years of age, any DOC staff member with knowledge, shall [notify](#) and communicate with the Department of Children and Families (DCF). The CSS shall document the DCF intake number, in a Contact Note, in the offender's OMS record. The CSS shall use the Contact Note category: Sex Offender Registry.
 - b. If placement in a home with a child is being considered by DOC, any DOC staff member with knowledge, shall [notify](#) DCF, and the Departments shall work together to determine if such placement is appropriate. The CSS shall document the DCF intake number, in a Contact Note, in the offender's OMS record. The CSS shall use the Contact Note category: Sex Offender Registry.

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- c. If the DOC does not have a role in the placement of the offender in the community, but knows the offender will be residing with a person under eighteen years of age, any DOC staff member with knowledge, shall notify the DCF, using the DCF [reporting procedures](#), as soon as possible and at least twenty-four hours prior to releasing the offender from confinement. The CSS shall document the DCF intake number, in a Contact Note, in the offender's OMS record. The CSS shall use the Contact Note category: Sex Offender Registry.
- J. Three business days prior to release, the CSS, shall verify with the VCIC – Sex Offender Registry Coordinator that they have received the registry paperwork. The CSS shall document, in a Contact Note, in the offender's OMS record, that it was verified with the VCIC – Sex Offender Registry Coordinator that all paperwork has been received. The CSS shall use the Contact Note category: SOR-VCIC.
- K. Within twenty-four hours after release, the CSS shall fill out a Vermont Sex Offender Registry Update custom form in the offender's OMS record, generate the custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

Max out of an offender from a facility

- A. 365 days prior to release the, CSS shall determine treatment compliance by completing the Recommended Treatment Compliance custom form in the offender's OMS record. The determination of treatment compliance shall be entered into a new Vermont Sex Offender Registry Registration custom form in the offender's OMS record.
 - a. If it is determined that the offender is non-compliant high-risk, go to the [Max out of a Designated \(by Committee\) High-Risk offender from a facility](#) section within this document.
 - b. The CSS shall complete a Sex Offender Law Enforcement Notification custom form in the offender's OMS record, no less than six months prior to release. Once a Sex Offender Law Enforcement Notification custom form is completed in OMS, a notification will be sent to the PPO and the Field Services Operations Manager assigned to the Sex Offender Registry for approval. Once the Field Services Operations Manager approves the Sex Offender Law Enforcement Notification custom form in OMS, the PPO will receive a notification that it has been approved. The PPO shall then generate the Sex Offender Law Enforcement Notification custom form report "Law Enforcement Notification: Standard Sex Offender Release Form" and send it to the appropriate law enforcement agencies, via email, with a follow-up phone call or meeting. The PPO shall document, in a Contact Note, in the offender's OMS record, that the appropriate law enforcement agencies were notified of the offender's release, using the Contact Note category: SOR-Law Enforcement.

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- B. Forty-five days prior to release, the CSS shall notify the offender of his or her reporting requirements under the law. The CSS shall fill out and read, to the offender, the Notification of Requirement to Register form for each applicable conviction. The offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The CSS shall witness the offender's signature and sign the Notification of Requirement to Register form.¹³
- a. If the offender refuses to sign the Notification of Requirement to Register form, the CSS shall write an affidavit to that effect and send it to the States Attorney's Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The CSS shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The PPO shall complete the Notification of Requirement to Register form and indicate the refusal by checking "Refused to initial and/or sign this notification". The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- C. Forty-five days prior to release, the CSS shall take a digital photograph of the offender and upload it into the offender's OMS record.
- D. Forty-five days prior to release, the CSS shall upload and/or ensure the Notification of Requirement to Register form and the digital photograph are in offender's OMS record. An individual Notification of Requirement to Register form shall be completed and uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- E. Forty-five days prior to release, the CSS shall complete a Vermont Sex Offender Registry Registration custom form in the offender's OMS record and verify the following information is correct within the offender's OMS record: Name, DOB, Sex, Race, SSN, Height, Weight, Eye color, Hair color, Phone Numbers, Employer Info, Post-Secondary School info and charge info.
- a. If an offender plans to be homeless, the CSS shall input the following into the offender's OMS record:
- A. Physical address: list "homeless" in the street name section, but **must** list the town which the offender is being released homeless in.
- B. Mailing Address: a mailing address must be provided, even if it is for general delivery; a friend's house or relative – something must be entered.
1. If the offender refuses to provide a mailing address, the CSS shall write an affidavit to that effect and send it to the States Attorney's Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The CSS shall document

¹³ A Notification of Requirement to Register Form is required for each applicable conviction.

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the refusal in an incident in OMS. The affidavit, VCIC email read receipt and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The CSS shall enter “Refused to Provide” into the Offenders mailing address in the offender’s OMS record.

- b. If the DOC does not have a role in the placement of the offender in the community, but knows the offender will be residing with a person under 18 years of age, any DOC staff member with knowledge, shall notify the DCF, using the DOC [reporting procedures](#), as soon as possible and at least twenty-four hours prior to releasing the offender from confinement. The CSS shall document the DCF intake number, in a Contact Note, in the offender’s OMS record. The CSS shall use the Contact Note category: Sex Offender Registry.
- F. Forty-five days prior to release, the CSS shall give a copy of the Notification of Requirement to Register form to the offender.
- G. Thirty days prior to release, the CSS shall send the Notification of Requirement to Register form and the digital photograph to VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record.
- H. Thirty days prior to release, the CSS, shall review/update the Vermont Sex Offender Registry Registration custom form in the offender’s OMS record, generate the Vermont Sex Offender Registry Registration custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Registration custom form Documents section, in the offender’s OMS record.
- I. Three business days prior to release, the CSS shall verify with the VCIC – Sex Offender Registry Coordinator that they have received the registry paperwork. The CSS shall document, in a Contact Note, in the offender’s OMS record, that it was verified with the VCIC – Sex Offender Registry Coordinator that all paperwork has been received, using the Contact Note category: SOR-VCIC.
- J. Three business days prior to release, the CSS shall generate, print and give the offender the Sex Offender Non-Compliance Notice custom form report from the Recommended Treatment Compliance custom form, if it was determined that the offender is non-compliant with treatment and has not been designated as a non-compliant high-risk offender. The letter shall be emailed to the VCIC – Sex Offender Registry Coordinator, with read receipt, confirming that the offender been notified. The CSS shall upload the VCIC email read receipt into the Recommended Treatment Compliance custom form Documents section, in the offender’s OMS record.
- K. Three business days prior to release, the CSS shall inform any offender who plans to be **homeless** that they are required to call the VCIC - Sex Offender Registry Coordinator daily and provide a **specific location** where they will be staying for each evening. The

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CSS shall document, in a Contact Note, in the offender's OMS record, that the offender was notified, using the Contact Note category: Sex Offender Registry.

- L. Within twenty-four hours after release, the CSS shall fill out a Vermont Sex Offender Registry Update custom form in the offender's OMS record, generate the custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

Max out of a Designated (by Committee) High-Risk offender from a facility

- A. 365 days prior to release the, CSS shall determine treatment compliance by completing a Recommended Treatment Compliance custom form in the offender's OMS record. The determination of treatment compliance shall also be entered into a new Vermont Sex Offender Registry Registration custom form in the offender's OMS record.
 - a. If it is determined that the offender is non-compliant high risk, then the CSS must review the Vermont Department of Corrections High-Risk Sex Offender Non-Compliant Notice or the Sex Offender Non-Compliance Notice (if designated high-risk by committee but does not meet statutory requirements) custom form report in the Recommended Treatment Compliance custom form, in OMS, with the offender.¹⁴
 - b. The CSS shall complete a Designated High-Risk Sex Offender Law Enforcement Notification custom form in the offender's OMS record. Once a Law Enforcement Notification custom form is completed, a notification will be sent to the PPO and the Field Services Operations Manager assigned to the Sex Offender Registry, for approval. Once the Field Services Operations Manager enters in the approved date in the Designated High-Risk Sex Offender Law Enforcement Notification custom form in OMS, the PPO will receive a notification that is has been approved. The PPO shall then generate the Designated High-Risk Sex Offender Law Enforcement Notification custom form report "Law Enforcement Notification: Designation of High-Risk Sex Offender Release" and send it to the appropriate law enforcement agencies, via email, with a follow-up phone call or meeting. The PPO shall document, in a Contact Note, in the offender's OMS record, that the appropriate law enforcement agencies were notified of the offender's release, using the Contact Note category: SOR-Law Enforcement.
- B. Forty-five days prior to release, the CSS shall notify the offender of his or her reporting requirements under the law. The CSS shall fill out and read, to the offender, the Notification of Requirement to Register form for each applicable conviction. The

¹⁴ Note that the designation of non-compliant high-risk sex offender is per statute. It requires that the offender has been convicted of at least one of the following offenses: lewd & lascivious conduct with a child; sexual assault; aggregated sexual assault; or any attempt to commit any of these offense; or a comparable offense in another jurisdiction of the United States.

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offender shall indicate an acknowledgement of receipt and understanding of the requirements by initialing the form throughout and signing at the bottom. The CSS shall witness the offender's signature and sign the Notification of Requirement to Register form.¹⁵

- a. If the offender refuses to sign the Notification of Requirement to Register form, the CSS shall write an affidavit to that effect and send it to the States Attorney's Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The CSS shall document the refusal in an incident in OMS. The affidavit, and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The PPO shall complete the Notification of Requirement to Register form and indicate the refusal by checking "Refused to initial and/or sign this notification". The Notification of Requirement to Register form and VCIC email read receipt shall be uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- C. Forty-five days prior to release, the CSS shall take a digital photograph of the offender and upload it into the offender's OMS record.
- D. Forty-five days prior to release the CSS uploads and/or ensures the Notification of Requirement to Register form and the digital photograph are in offender's OMS record. An individual Notification of Requirement to Register form shall be completed and uploaded into the Arrest Charges Documents section, of each applicable conviction, in the offender's OMS record.
- E. Forty-five days prior to release, the CSS, shall update/complete a Vermont Sex Offender Registry Registration custom form (if one was started previously with the compliance information in it) in the offender's OMS record and verify the following information is correct within the offender's OMS record: Name, DOB, Sex, Race, SSN, Height, Weight, Eye color, Hair color, Phone Numbers, Employer Info, Post-Secondary School info and charge info.
 - a. If an offender plans to be homeless, the CSS shall input the following:
 - A. Physical address: list "homeless" in the street name section, but **must** list the town which the offender is being released homeless in.
 - B. Mailing Address: a mailing address must be provided, even if it is for general delivery; a friend's house or relative – something must be entered.
 1. If the offender refuses to provide a mailing address, the CSS shall write an affidavit to that effect and send it to the States Attorney's Office who obtained the original conviction requiring the offender to register as well as to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The CSS shall document the refusal in an incident in OMS. The VCIC email read receipt and any other documents associated with the refusal, shall be uploaded into OMS as an attachment within the incident. The CSS

¹⁵ A Notification of Requirement to Register Form is required for each applicable conviction.

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shall enter “Refused to Provide” into the Offenders mailing address in the offender’s OMS record.

- b. If the DOC does not have a role in the placement of the offender in the community, but knows the offender will be residing with a person under eighteen years of age, any DOC staff member with knowledge, shall notify the DCF, using the DOC [reporting procedures](#), as soon as possible and at least twenty-four hours prior to releasing the offender from confinement. The CSS shall document the DCF intake number, in a Contact Note, in the offender’s OMS record. The CSS shall use the Contact Note category: Sex Offender Registry.
- F. Forty-five days prior to release, the CSS shall give a copy of the Notification of Requirement to Register form to the offender.
- G. Thirty days prior to release, the CSS, shall send the Notification of Requirement to Register form and the digital photograph to VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Arrest Charges Documents section, of each applicable conviction, in the offender’s OMS record.
- H. Thirty days prior to release, the CSS, shall review/update the Vermont Sex Offender Registry Registration custom form in the offender’s OMS record, generate the custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Registration custom form Documents section, in the offender’s OMS record.
- I. Four weeks prior to the release date of an offender who poses a high-risk to reoffend, the Field Services Operations Manager assigned to the Sex Offender Registry, shall email, with read receipt, the VCIC – Sex Offender Registry Coordinator, notifying them of the pending release. The Field Services Operations Manager assigned to the Sex Offender Registry shall document, in a Contact Note, in the offender’s OMS record, that the VCIC – Sex Offender Registry Coordinator was notified of the pending release of a high-risk offender, using the Contact Note category: SOR-VCIC. The Field Services Operations Manager shall upload the VCIC email read receipt into the Contact Note Documents section, in the offender’s OMS record. The Field Services Operations Manager assigned to the Sex Offender Registry and VCIC will consult and evaluate whether the release of the offender constitutes a compelling risk to public safety. If it is determined that the offender merits proactive notification to the community, the Field Services Operations Manager Registry shall notify the law enforcement agency which has jurisdiction over the area to which the offender will be released to. The notification will include the reason(s) that the offender constitutes a compelling risk to public safety and the fact that DOC and the VCIC have been consulted. The Field Services Operations Manager shall document, in a Contact Note, in the offender’s OMS record, that the law enforcement notification was sent out, using the Contact Note category: SOR-Law Enforcement.
- J. Three business days prior to release, the CSS, shall verify with the VCIC – Sex Offender Registry Coordinator that they have received the registry paperwork. The CSS shall

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document, in a Contact Note, in the offender’s OMS record, that it was verified with the VCIC – Sex Offender Registry Coordinator that all paperwork has been received, using the Contact Note category: SOR-VCIC.

- K. Three business days prior to release, the CSS shall generate either the High-Risk Sex Offender Non-Compliant Notice¹⁶ or the Sex Offender Non-Compliance Notice (if designated high-risk by committee but does not meet statutory requirements) custom form report from the Recommended Treatment Compliance custom form. Both the offender and a witness shall sign the notice. The CSS will print off a copy of the signed notice and give to the offender. The applicable notice shall be emailed to the VCIC – Sex Offender Registry Coordinator, with read receipt, confirming that the offender been notified. The CSS shall upload the VCIC email read receipt into the Recommended Treatment Compliance custom form Documents section, in the offender’s OMS record.
- L. Three business days prior to release, the CSS shall inform any offender who plans to be **homeless** that they are required to call the VCIC - Sex Offender Registry Coordinator daily and provide a **specific location** where they will be staying for each evening. The CSS shall document, in a Contact Note, in the offender’s OMS record, that the offender was notified, using the Contact Note category: Sex Offender Registry.
- M. Within twenty-four hours after release, the CSS shall fill out a Vermont Sex Offender Registry Update custom form in the offender’s OMS record, generate the custom form report, and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender’s OMS record.

Updating the Registry

- A. When an offender has any of the following changes, the CSS or PPO (as applicable) shall complete a Vermont Sex Offender Registry Update custom form in the offender’s OMS record. The CSS or PPO shall generate the Vermont Sex Offender Registry Update custom form report and email it to the VCIC - Sex Offender Registry Coordinator with read receipt. The CSS or PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender’s OMS record.
 - a. **Within Twenty-Four Hours**
 - i) When an offender returns to community supervision from a facility.
 - ii) When an offender comes into the facility from community supervision.
 - iii) Upon discharge from Community Supervision
 - iv) Address changes (Mailing, Physical).

¹⁶ Note that the designation of non-compliant high-risk sex offender is per statute. It requires that the offender has been convicted of at least one of the following offenses: lewd & lascivious conduct with a child; sexual assault; aggregated sexual assault; or any attempt to commit any of these offense; or a comparable offense in another jurisdiction of the United States.

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1. With respect to a sex offender residing with a child under eighteen years of age, the DOC shall [communicate](#) with the DCF This should be documented in a Contact Note, in the offender's OMS record, with the intake number.
 2. If placement in a home with a child is being considered by the DOC, any DOC staff member with knowledge, shall [notify](#) the DCF, and the departments shall work together to determine whether such a placement is appropriate. This should be documented in a Contact Note, in the offender's OMS record, with the intake number, using the contact note category: Sex Offender Registry.
 3. If the DOC does not have a role in the placement of the offender in the community, but knows the offender will be residing with a person under eighteen years of age, any DOC staff member with knowledge, shall [notify](#) the DCF as soon as possible and at least twenty-four hours prior to releasing the offender from confinement. This should be documented in a Contact Note, in the offender's OMS record, with the intake number, using the contact note category: Sex Offender Registry.
- v) Moves to a rehabilitation center, mental health facility, or hospital.
1. The CSS or PPO shall inform the registry of the updated address of the offender but shall not identify that it is a rehabilitation center, mental health facility, or hospital.
- vi) Change in school (enrolls or separates).
- vii) Offender becomes employed at post-secondary school.
- viii) Has a change in status (furlough to parole, etc.)
- ix) Employment (full time, part time, seasonal, volunteer).
- x) Anytime an offender changes PPO or Probation Offices (the receiving PPO shall contact the VCIC – Sex Offender Registry Coordinator).

b. Within Three Days

- i) Change in phone number.
- ii) When a sex offender, who is compliant with sex offender treatment completes his or her sentence but has not completed sex offender treatment.
- iii) When an offender has a minor under the age of eighteen living in the house.
- iv) When an offender moves out of state.
- v) When an offender has been designated high-risk.
- vi) When an offender receives a designation of non-compliant with treatment.
- vii) When an offender comes back into compliance with treatment.
- viii) When an offender completes sex offender treatment or doesn't complete treatment.
- ix) Vehicle(s) information changes (High-Risk Offenders).

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An offender is returned to facility from Community Supervision (PPO Duties)

- A. Within twenty-four hours of the offender's return to a facility, the PPO shall complete a Vermont Sex Offender Registry Update custom form documenting the return to a facility.
- B. Within twenty-four hours of the offender's return to a facility, the PPO shall generate the Vermont Sex Offender Registry Update custom form report and send it to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

Offender comes into the facility from community supervision (CSS Duties)

- A. Within twenty-four hours of the offender's intake into a correctional facility, the CSS shall verify, in the offender's OMS record that the Vermont Sex Offender Registry Update custom form, documenting the return to incarceration, has been sent to the VCIC – Sex Offender Registry Coordinator.
- B. Within twenty-four hours of the offender's intake into a correctional facility, the CSS, shall take a new digital photo of the offender.
- C. Within twenty-four hours of the offender's intake into a correctional facility, if a Vermont Sex Offender Registry Update custom form was not submitted to the VCIC – Sex Offender Registry Coordinator by the PPO, the CSS shall complete a Vermont Sex Offender Registry Update custom form documenting the return to incarceration.
- D. Within twenty-four hours of the offender's intake into a correctional facility, the CSS shall send the digital photo (and the Vermont Sex Offender Registry Update custom form report, if applicable) via email, with read receipt, to the VCIC – Sex Offender Registry Coordinator. The CSS shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

An offender is returned to Community Supervision from a facility

- A. Within twenty-four hours of the offender's return to community supervision after incarceration for a violation or revocation, the PPO shall complete a Vermont Sex Offender Registry Update custom form, in the offender's OMS record, documenting the return to community supervision.
- B. Within twenty-four hours of the offender's return to community supervision, after incarceration for a violation or revocation, the PPO shall take a new digital photo of the offender.

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C. Within twenty-four hours of the offender's return to community supervision after incarceration for a violation or revocation, the PPO shall generate the Vermont Sex Offender Registry Update custom form report and send it and the digital photo to the VCIC – Sex Offender Registry Coordinator, via email, with read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

Treatment Compliance

A. Defining Treatment Compliance

- a. In making determinations of whether an offender is compliant with their DOC-recommended treatment, the CSS or PPO (as applicable) shall evaluate the following:
 - a. The offender has substantially accepted responsibility for committing the sexual offense(s) for which they have been convicted;
 - b. The offender has meaningfully participated in treatment recommended by the DOC that is specifically designed to reduce their risk to sexually re-offend;
 - c. The offender's participation in the treatment has been sufficient both to allow their specific treatment needs to be identified, and to demonstrate through overt behavior a willingness to work diligently on addressing those needs;
 - d. Documentation provided by the treatment provider;
 - e. The offender can demonstrate an understanding of the thoughts, attitudes, emotions, behaviors, and sexual arousal linked to their sexual offending, and can identify when these occur in present functioning; and
 - f. The offender demonstrates sufficiently sustained changes in the thoughts, attitudes, emotions, behaviors, and sexual arousal linked to their sexual reoffending, such that it is reasonable to assume that they have reduced their risk to sexually re-offend.
 - g. Results from the latest Recommended Treatment Compliance custom form, in the offender's OMS record.

B. Community Supervision

- a. Within ten days of a sex offender being placed on community supervision; the PPO shall determine the offender's level of compliance with DOC-recommended treatment by completing a Recommended Treatment Compliance custom form in the offender's OMS record.
 1. Compliance with DOC-Recommended Treatment
 - a. If the offender is in compliance, the PPO shall complete a Recommended Treatment Compliance custom form in the offender's OMS record and document compliance in a new Vermont Sex Offender Registry Update custom form or a new Vermont Sex Offender Registry Registration custom

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- form in the offender's OMS record and review all documentation with their Supervisor.
- b. The PPO shall then generate and send the Vermont Sex Offender Registry Update custom form report or Vermont Sex Offender Registry Registration custom form report, via email, to the VCIC – Sex Offender Registry Coordinator with a read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update or Vermont Sex Offender Registry Registration custom form Documents section, in the offender's OMS record.
 - c. Within three days of the offender completing treatment, the PPO shall review the case with their supervisor and complete a Recommended Treatment Compliance custom form and document the compliance in a new Vermont Sex Offender Registry Update custom form, in the offender's OMS record. The PPO shall then generate and send the Vermont Sex Offender Registry Update custom form report, via email, to the VCIC – Sex Offender Registry Coordinator with a read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.
2. Non-Compliance with Treatment Under DOC Supervision¹⁷
- a. If the offender is determined to be non-compliant, the PPO shall complete a Recommended Treatment Compliance custom form and a Vermont Sex Offender Registry Update custom form in the offender's OMS record and review all documentation with their Supervisor.
 - b. Within three days of the determination of non-compliance, the PPO shall then generate and send the Vermont Sex Offender Registry Update custom form report, via email, to the VCIC – Sex Offender Registry Coordinator with a read receipt. The PPO shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section in the offender's OMS record.
 - c. The PPO shall notify the offender of the non-compliance determination by generating the Sex Offender Non-

¹⁷ As determined by completing the Recommended Treatment Compliance custom form, in OMS.

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- Compliance Notice custom form report from the Recommended Treatment Compliance custom form, in the offender's OMS record. The letter shall be emailed to the VCIC – Sex Offender Registry Coordinator, with read receipt, confirming that the offender been notified. The CSS shall upload the VCIC email read receipt into the Recommended Treatment Compliance custom form Documents section, in the offender's OMS record.
- d. Within ten business days of the determination of non-compliance, the PPO shall make a personal notification to the victim registered in VANS. The PPO shall document this, in a victim Contact Note, in the offender's OMS record.
3. Subsequent Compliance with Treatment Under DOC Supervision
- a. A sex offender currently under supervision, who has previously been determined to be in non-compliance with DOC-recommended treatment, can come into compliance upon successful participation in a treatment program recommended by the DOC for a minimum of twelve consecutive months of participation.
 - 1) The PPO shall request a Certification of Compliance Letter from the offender's current treatment provider verifying that the offender has been engaged in twelve consecutive months of treatment. The PPO shall upload this letter into the offender's OMS record, as an attachment.
 - 2) The PPO shall complete a Recommended Treatment Compliance custom form and a Vermont Sex Offender Registry Update custom form in the offender's OMS record and review all documentation with their supervisor before final determination of treatment compliance. Determination of whether the offender has come into compliance will be made no later than two weeks after the DOC receives the treatment provider letter from the offender.
 - 3) Within three days of the determination of compliance, the PPO shall generate the Vermont Sex Offender Registry Update custom form report and send it to the VCIC – Sex Offender Registry Coordinator via email, with read receipt. The PPO

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shall upload the VCIC email read receipt into the Vermont Sex Offender Registry Update custom form Documents section, in the offender's OMS record.

Designation of High-Risk

1) Determination of High-Risk

- a. The CSS or PPO (as applicable) is responsible for assessment of the offender for high-risk and referral to the Sex Offender Review Committee.
- b. The CSS or PPO (as applicable) shall complete a Static-99R on the offender within four weeks after being placed on probation, sentenced to incarceration, or being placed on community supervision.
 - i. If an incarcerated sex offender is serving less than 30 days, the PPO will complete a Static-99R.
 - ii. If a Sex offender has been accepted for Vermont DOC supervision through ICAOS, the PPO shall complete a Static-99R.
- c. The CSS or PPO (as applicable) shall complete a High-Risk Sex Offender Referral custom form, in the offender's OMS record, on all sex offenders with a Static-99R score of 6 or above, or who have a conviction for kidnapping, a conviction, past or present for a crime in which the offender used a deadly weapon, engaged in sexual sadism, or caused serious bodily harm to the victim.
- d. The CSS or PPO (as applicable) may complete a High-Risk Sex Offender Referral custom form, in the offender's OMS record, for sex offenders who score below a 6 on the Static-99R to be considered for a high-risk designation due to the nature of other risk factors, such as a pattern of predatory sexual offending, continued failure to cooperate with DOC supervision, or recent threats of intent to commit additional offenses. The CSS or PPO (as applicable) shall clearly outline these other factors in the High-Risk Sex Offender Referral custom form, in the offender's OMS record, and if recommending an override regarding the supervision level, obtain written supervisor approval, and upload supporting documentation into the High-Risk Sex Offender Referral custom form Documents section, in the offender's OMS record.
- e. The CSS or PPO (as applicable) may recommend that a sex offender who scores above 6 on the Static-99R and/or has mediating factors that reduce their risk to reoffend, such as a disability that prevents access to potential victims, or a long-term pattern of cooperation while under DOC supervision, not be considered for the high-risk designation. The CSS or PPO (as applicable) will clearly outline these other factors in the High-Risk Sex Offender Referral custom form and, if recommending not to be considered for the high-risk designation, obtain written supervisor approval and attach it and any other supporting documentation used to complete the assessment to the committee, into the Sex Offender Referral custom form Documents section, in the offender's OMS record.

INTERNAL DOCUMENT

- 2) Referral of High-Risk Sex Offender's to the Sex Offender Review Committee
 - a. Incarcerated Offenders
 - i. For all offenders sentenced to thirty days or more, as part of the initial five-day classification period that occurs upon intake, the CSS shall confirm the following has been completed in the offender's OMS record: A High-Risk Sex Offender Referral custom form, a Static-99R classification, any override or under-ride recommendations have been entered into the High-Risk Sex Offender Referral custom form, all supporting documentation is either in the Documents section of the High-Risk Sex Offender Referral custom form or in the offender's attachments, and the referral form has a completed date.
 - b. Offenders Supervised in the Community who were Sentenced in Vermont
 - i. No later than thirty days³ after assignment, the PPO shall confirm the following has been completed in the offender's OMS record: A High-Risk Sex Offender Referral custom form, a Static-99R classification, any override and under-ride recommendations have been entered into the High-Risk Sex Offender Referral custom form, all supporting documentation is either in the Documents section of the High-Risk Sex Offender Referral custom form or in the offender's attachments,, and the referral form has a completed date.
 - c. Offenders under Supervision who were transferred to Vermont through the ICAOS
 - i. No later than thirty days after assignment, the PPO shall confirm the following has been completed in the offender's OMS record: A High-Risk Sex Offender Referral custom form, a Static-99R classification, any override and under-ride recommendations have been entered into the High-Risk Sex Offender Referral custom form, all supporting documentation is either in the Documents section of the High-Risk Sex Offender Referral custom form or in the offender's attachments, and the referral form has a completed date.

Out of State Registrants Risk Assessment Referral

Out of state registrants will be referred to the DOC by the VCIC, for risk assessment. The assessment will occur within ten days of the referral. Within twenty-four hours of the risk assessment, the results will be returned to the VCIC – Sex Offender Registry Coordinator in writing. The Field Services Operations Manager assigned to the Sex Offender Registry shall be the point of contact for all referrals, and shall be responsible for coordinating the assessments, and sending along the results to the VCIC – Sex Offender Registry Coordinator.

INTERNAL DOCUMENT

Administrative Review

An individual who believes that he or she is improperly on the sex offender registry or on the Vermont Sex Offender Registry Web Site, or who believes that incorrect information is included in the registry or on the Vermont Sex Offender Registry Web Site may request an Administrative Review by contacting the Director at VCIC directly, in writing. The Director at VCIC, or his or her designee, in cooperation with DOC, shall investigate the alleged discrepancy within three business days of receipt of notification. The Field Services Operations Manager assigned to the Sex Offender Registry shall be the point of contact for the DOC's portion of administrative reviews and shall be responsible for coordinating with any appropriate internal staff on the investigation.

Active Community Notification of Offenders Not on Public Internet Site

The Field Services Operations Manager assigned to the Sex Offender Registry shall be the point of contact for law enforcement should they wish to consult on active community notification of offenders not on the public internet site.