

State of Vermont Agency of Human Services Department of Corrections	Title: Sex Offender Registry and Internet Registry Determinations		Page 1 of 3
	REVISED		
Chapter Management Information Systems	Directive # 255.01	<i>Supersedes #255.01 dated 6/14/2010.</i>	
Attachments, Forms & Companion Documents: All attachments, forms and companion documents will be made available to staff via the Department's website.			
Local Procedure(s) Required? No. Applicability: All staff; Field and Facility Security Level: "B" - Anyone may have access to this document			
Approved:			
SIGNED	06/06/2018	08/01/2018	
<hr/> Lisa Menard, Commissioner	<hr/> Date Signed	<hr/> Effective Date	

PURPOSE

The purpose of this administrative directive is to establish the Department of Corrections' (DOC) policy and procedures for ensuring that sex offenders under the supervision of the DOC are registered with the Vermont Sex Offender Registry, pursuant to Vermont state law; identify processes for the determination of high-risk offenders; determine treatment compliance; and establish processes for the release of sex offenders.

POLICY

The policy of DOC is to ensure that offenders who are in custody and/or under supervision are meeting the Vermont Sex Offender Registry ("registry") requirements pursuant to Vermont state law. The DOC provides assistance to offenders in the registry process, and updates the registry when required to do so by state law. In addition, DOC aims to ensure that determinations of high risk designation and responses to failing to comply with DOC-recommended treatment employ corrections best practice.

AUTHORITY

13 V.S.A, §§ 5401-5414; Department of Corrections APA Rule # 05-013, *Determination of High Risk and Failure to Comply with Treatment for Purposes of Sex Offender Internet Registry*; Department of Public Safety APA Rule # 04-41, Vermont Sex Offender Registry.

REFERENCE

Department Administrative Directives #371.02 *Case Management*; #418.01 *Offender Out of State Movement and The Interstate Compact*; and #502.01 *Victim Notification*.

POLICY

The following requirements govern the DOC's role and responsibilities regarding the registry.

1. There are statutory requirements governing the registry. Sex offenders, as defined by statute, who are in custody of, or under supervision by DOC are required to comply with the registry requirements whether they are incarcerated or in the community.
2. DOC staff has a close and vital relationship with the Department of Public Safety's (DPS) Vermont Criminal Information Center (VCIC), as it is VCIC who oversees the registry. It is this relationship that allows DOC and DPS to work together to ensure that statutory registry requirements are met for the offenders in DOC custody.
3. DOC staff provides VCIC with compliance or non-compliance information related to DOC-recommended treatment for an offender who is required to register.

In order to meet its obligations, DOC staff shall:

1. Determine if an offender in its custody, or under supervision is required to register with the registry. If an offender who is in custody or under supervision is required to register with the registry, the DOC shall ensure that the offender's initial registry paperwork is completed and provide updates to the registry as it is informed of changes in the offender's life. Changes requiring updates include:
 - a. When an offender returns to community supervision from a facility;
 - b. When an offender comes into the facility from community supervision;
 - c. Upon discharge from supervision;
 - d. When an offender has a change in address;
 - e. If an offender moves to a rehabilitation center, mental health facility, or hospital;
 - f. If an offender changes (enrolls or separates) school;
 - g. When an offender becomes employed at a post-secondary school;
 - h. When an offender has a change in status (furlough to parole, etc.);
 - i. When the offender has an employment change;
 - j. Anytime the offender changes field supervision site or Probation and Parole Officers;
 - k. When an offender's phone number changes;
 - l. When a sex offender completes his/her sentence but does not complete treatment requirements;
 - m. When an offender has a minor under the age of eighteen living in the house;
 - n. When an offender moves out of state;
 - o. When an offender has been designated high-risk;
 - p. When an offender receives a designation of non-compliant with treatment;
 - q. When an offender comes back into compliance with treatment;
 - r. When an offender completes sex offender treatment or does not complete treatment;
and
 - s. When a high-risk offender's vehicle information changes.

2. If an offender is required to register, the DOC shall ensure that the relevant registry information is sent to VCIC when applicable.
3. DOC shall send information to VCIC in the following situations:
 - a. An offender comes directly from court, sentenced, and straight to a field site with no incarceration period.
 - b. An offender transfers from another state to Vermont who are under community supervision.
 - c. An offender comes into a correctional facility from community supervision.
 - d. An offender comes into a correctional facility for the first time after being sentenced for a registerable offense.
 - e. An offender is being transferred to another state directly from a facility to probation or parole via the Interstate Compact for Adult Offender Supervision.
 - f. An offender is released from a correctional facility to community supervision.
 - g. An offender is 'maxed out' from a correctional facility.
 - h. A "high risk max out" of an offender from a correctional facility.
 - i. A "high risk non-compliant max out" from a correctional facility.
 - j. A "non-compliant max out" from a correctional facility.
 - k. The return of an offender to a correctional facility.
 - l. If there is an update that requires notification such as a change of address or employment.
4. As part of planning for the release of a sex offender from a correctional facility to the community upon completion of the offender's maximum sentence, prior to the offender's release date the DOC shall notify the offender of his or her obligation to report to the DPS to register as a sex offender. The DOC shall assist the offender with registration as a sex offender and advise the offender that failure to register with the DPS prior to release is a crime.