



The Vermont Legislative Research Shop

Sexual Offender Registrations

Background

The abduction of 11-year-old Jacob Wetterling in October 1989 prompted the investigation and discovery of several halfway houses in their county, which boarded convicted sex offenders from another county.¹ In response to this Congress passed the 1994 Jacob Wetterling Act, which required all states to create sex offender registries within in three years or lose funding under the Edward Byrne Memorial Program, and currently all 50 states have sex offender registration laws. Convicted sex offenders must register for 10 years after their release date. The Wetterling Act also gave states the option of releasing sex offender information to the public until 1996, when Congress amended the act, requiring that states must disclose information about sex offenders for public safety purposes.² This legislation is now better known as Megan's Law, in memory of Megan Kanka.

The FBI's Crimes Against Children Unit coordinates the development and implementation of the National Sex Offenders Registry. The movement to track sex offenders came about through the Pam Lychner Sexual Offender Tracking and Identification Act of 1996 (Lychner Act) which "requires the Attorney General to establish a national database at the FBI to track the whereabouts and movements of certain sex offenders under Title 42 of the United States Code Section 14072."³ The FBI as well as many individual state governments claims no responsibility for the accuracy of the information based on the fact that the information "has been provided to the Department by the registrant and is based upon the last notification received."⁴ These laws have generated some controversy, but they do provide public safety officials with additional tools to more effectively protect the public from potential repeat sex offenders.⁵

¹ Federal Bureau of Investigation, *FBI Law Enforcement Bulletin, Sex Offender Registration*, <http://www.fbi.gov/publications/leb/2000/jul00leb.pdf> Visited on 04/26/2004

² Federal Bureau of Investigation, *FBI Law Enforcement Bulletin, Sex Offender Registration*, <http://www.fbi.gov/publications/leb/2000/jul00leb.pdf> Visited on 04/26/2004

³ Federal Bureau of Investigation, *Investigative Programs Crimes Against Children National Sex Offender Registry*, <http://www.fbi.gov/hq/cid/cac/registry.htm> Visited on 04/21/2004

⁴ Maryland Department of Public Safety and Correctional Services, *Sex Offender Registry General Information*, <http://www.dpscs.state.md.us/sor/> Visited on 04/21/2004

⁵ Federal Bureau of Investigation, *FBI Law Enforcement Bulletin, Sex Offender Registration*, <http://www.fbi.gov/publications/leb/2000/jul00leb.pdf> Visited on 04/26/2004

Sex offender registries have been an effective way for law enforcement officials to identify, monitor, and track sex offenders. Registries would be more effective in maintaining public safety if this information were made available on the Internet. Public access to this information varies from state to state, state agencies generally have guidelines or administrative rules regarding what information they will release to whom and how they will disseminate it.⁶

Vermont Policy

Vermont currently considers anyone a sexual offender who: “has been convicted in Vermont on or after July 1, 1996. A sex offender convicted in Vermont or another state PRIOR to July 1, 1996, confined under the custody of the Commissioner of Corrections, and released from

The local law enforcement agency has discretion for notification to any "entities with vulnerable populations" concerning offenders at risk levels 2 and 3. The State provides public access, regardless of risk level, through a 900 telephone line (with a fee of \$.50 per call/up to five searches per call) and monthly publishes a sub-directory of level 3 (high risk) offenders that is distributed to local law enforcement