

SENATE JOINT RESOLUTION NO. 348

Directing the Virginia State Crime Commission to study sex offender registry requirements. Report.

Agreed to by the Senate, February 2, 2011

Agreed to by the House of Delegates, February 22, 2011

WHEREAS, it is important that citizens feel safe from crime in their homes and communities, and in addition to assisting law-enforcement, an important purpose of Virginia's sex offender registry is to provide the public with the necessary information to take appropriate safety measures; and

WHEREAS, since 1994 three federal laws have encouraged states to establish sex offender registries or risk the loss of federal funding: the Jacob Wetterling Act, Megan's Law and the Pam Lyncher Act; and

WHEREAS, since 1994 the number of crimes for which registration is required has increased, the information that is required at registration has grown substantially, and public access to information on individual sex offenders has expanded; and

WHEREAS, concerns have been raised about the breadth of registration and whether the breadth of registration makes it difficult to distinguish predatory behavior and whether citizen reliance on the sex offender registry can be misplaced in certain instances; now, therefore, be it

RESOLVED by the Senate, the House of Delegates concurring, That the Virginia State Crime Commission be directed to study sex offender registry requirements. The study shall identify those requirements imposed by the federal government, the extent to which Virginia is in compliance with those requirements, the penalties if Virginia is not in compliance, and the fiscal and human costs of being in compliance.

In conducting its study, the Virginia State Crime Commission shall determine the feasibility of implementing a tiered system and whether a tiered system would better inform the public, whether scarce resources could be better used by concentrating on those who have the greatest risk of reoffending, and whether registration and notification laws are effective methods of reducing sexual victimizations.

Technical assistance shall be provided to the Virginia State Crime Commission by the Department of State Police and the Virginia Criminal Sentencing Commission. All agencies of the Commonwealth shall provide assistance to the Virginia State Crime Commission for this study, upon request.

The Virginia State Crime Commission shall complete its meetings by November 30, 2011, and the Chairman shall submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the 2012 Regular Session of the General Assembly. The executive summary shall state whether the Commission intends to submit to the General Assembly and the Governor a report of its findings and recommendations for publication as a House or Senate document. The executive summary and report shall be submitted as provided in the procedures of the Division of Legislative Automated Systems for the processing of legislative documents and reports and shall be posted on the General Assembly's website.

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