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SENATE JOINT RESOLUTION NO. 282

Offered January 14, 2015

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Requesting the Secretary of Public Safety and Homeland Security to study the effectiveness of sex offender registry requirements on public safety. Report.

Patron—Hanger

Referred to Committee on Rules

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 and Crimes Against Minors 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 Crimes Against Children and Sexually Violent Offender Registration Act (1994), the Pam Lychner Sex Offender Tracking and Identification Act (1996), and the Adam Walsh Child Protection and Safety Act (2006); 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 Secretary of Public Safety and Homeland Security be requested to convene a workgroup to study the effectiveness of sex offender registry requirements on public safety. The workgroup shall examine the publication of sex offender registry information on the Internet and the extent to which the public can differentiate between those persons required to register who pose a threat to the community and those who do not pose a threat. The workgroup shall identify and compare the requirements for registration imposed by the federal government and the requirements that the Commonwealth has imposed.

In conducting the study, the workgroup shall determine (i) the feasibility of implementing a tiered system and whether a tiered system would better inform the public, (ii) whether information about the offender other than the relevant citation of the Code of Virginia would better inform the public, (iii) whether scarce resources could be better used by concentrating on those who have the greatest risk of reoffending, and (iv) whether Virginia's existing registration and notification laws are effective methods of reducing sexual victimization.

Technical assistance shall be provided to the workgroup by the Office of the Attorney General, the Virginia Criminal Sentencing Commission, and the Commonwealth's Attorneys' Services Council. All agencies of the Commonwealth shall provide assistance to the workgroup for this study, upon request.

The Secretary of Public Safety and Homeland Security shall complete the meetings of the workgroup by November 30, 2015, and shall submit to the Governor and the General Assembly an executive summary and 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 no later than the first day of the 2016 Regular Session of the General Assembly and shall be posted on the General Assembly's website.

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