

Interim Revision Memo

To: All Staff

From: Robert D. Hofmann, Commissioner

Date: July 21, 2008

Effective immediately, following are changes to current administrative directives.

Directive 371.15 - Conditional Re-entry: This directive is no longer applicable to offenders serving a sentence in a correctional facility for a conviction of any sex offense, or if the affidavit of the underlying offense provided by the court after adjudication contains information that describes any elements of a sexual offense. At this time these offenders are not eligible for release to the community on conditional re-entry status or for a positive recommendation from the Department to parole status without a central office case staffing. A central case-staffing request and all supporting documentation must be sent to the Assistant Director of Classification Management at least 90 days prior to the anticipated release date.

Direction 371.26 - Reintegration Furlough: This directive is no longer applicable to offenders serving a sentence in a correctional facility for a conviction of any sex offense, or if the affidavit of the underlying offense provided by the court after adjudication contains information that describes any elements of a sexual offense. At this time these offenders are not eligible for release to the community on conditional re-entry or reintegration status, and shall not receive a positive recommendation from the Department to parole status without a central office case-staffing. A central case-staffing request and all supporting documentation must be sent to the Assistant Director of Classification Management at least 90 days prior to the anticipated release date.

Directive 371.05 - Offender Responsibility Planning: Attachment 2, ORP Case Plan Instructions for Staff: Offender summary section, third bullet regarding projected movement date, and Department of Corrections Expectations section, are no longer applicable to offenders serving a sentence in a correctional facility for a conviction of any sex offense, or if the affidavit of the underlying offense provided by the court after adjudication contains information that describes any elements of a sexual offense. At this time these offenders are not eligible for release to the community on conditional re-entry status or for a positive recommendation from the Department to parole status without a central office case-staffing. A central case-staffing request and all supporting documentation must be sent to the Assistant Director of Classification Management at least 90 days prior to the anticipated release date.

Directive 371.08 - Classification of Offenders Convicted of Listed Offenses: Section 2.1, Section 4.3, and Section 4.6 of this directive are no longer applicable to offenders serving a sentence in a correctional facility for a conviction of any sex offense, or if the affidavit of the underlying offense provided by the court after adjudication contains information that describes any elements of a sexual offense. At this time these offenders are not eligible for release to the community on conditional re-

Memo

To: All Staff
From: Andrew Pallito, Commissioner
Date: December 3, 2009
Re: Designated High Risk Sex Offenders

The State of Vermont enacted a new law as part of the 2008/2009 legislative session titled: An Act Relating to Improving Vermont's Sexual Abuse Response System commonly known as S13. The section of this law affecting incarcerated inmates designated high risk went into affect on July 1, 2009. Section 204b of this law is directed specifically to offenders who have received the designation of High Risk Sex Offender. This section states the following.

A person who is sentenced to an incarcerative sentence for a violation of any of the offenses listed in subsection 204a(a) of this title **and** who is designated by the department of corrections as high-risk pursuant to 13 V.S.A. § 5411b while serving his or her sentence shall not be eligible for parole, furlough, or any other type of early release until the expiration of 70 percent of his or her maximum sentence.

The offenses that are affected by this law are the following:

- Lewd and Lascivious conduct in violation of section 2601 of Title 13
- Lewd and Lascivious conduct with a child in violation of section 2602 of Title 13
- Sexual Assault in violation of section 3252 of Title 13
- Aggravated Sexual Assault in violation of section 3253 of title 13
- Aggravated Sexual Assault of a child in violation of section 3253a to Title 13
- Kidnapping with intent to commit sexual assault in violation of subdivision 2405(a)(1)(D) of Title 13
- An offense involving sexual exploitation of children in violation of chapter 64 of Title 13

The High Risk Sex Offender Review committee will provide a list of incarcerated inmates who have been classified as high risk to the Living Unit Supervisors of each facility. The Living Unit Supervisors will review the names of inmates incarcerated in their facility against the criminal offenses listed above to identify inmates affected by this law. After identification the Living Unit Supervisors and the caseworkers will plan the best strategy to notify each inmate personally with as much information as they have available.