



General Assembly

January Session, 2011

Raised Bill No. 1235

LCO No. 5121

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Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING THE SEXUAL OFFENDER REGISTRY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) to (c), inclusive, of section 54-259a of the
2 general statutes are repealed and the following is substituted in lieu
3 thereof (*Effective July 1, 2011*):

4 (a) There is established a Risk Assessment Board consisting of the
5 Commissioner of Correction, the Commissioner of Mental Health and
6 Addiction Services, the Commissioner of Public Safety, the Chief
7 State's Attorney, the Chief Public Defender, the chairperson of the
8 Board of Pardons and Paroles [] and the executive director of the
9 Court Support Services Division of the Judicial Department, [and the
10 chairpersons and ranking members of the joint standing committees of
11 the General Assembly having cognizance of matters relating to the
12 judiciary and public safety,] or their designees, a victim advocate with
13 experience working with sexual assault victims and sexual offenders
14 appointed by the Governor, a forensic psychiatrist with experience in
15 the treatment of sexual offenders appointed by the Governor and a
16 person trained in the identification, assessment and treatment of sexual

17 offenders appointed by the Governor.

18 (b) The board shall develop a risk assessment scale that assigns
19 weights to various risk factors including, but not limited to, the
20 seriousness of the offense, the offender's prior offense history, the
21 offender's characteristics, the availability of community supports,
22 whether the offender has indicated or credible evidence in the record
23 indicates that the offender will reoffend if released into the community
24 and whether the offender demonstrates a physical condition that
25 minimizes the risk of reoffending, and specifies the risk level to which
26 offenders with various risk assessment scores shall be assigned.

27 (c) The board shall use the risk assessment scale to assess the risk of
28 reoffending of each person subject to registration under this chapter,
29 including incarcerated offenders who are within one year of their
30 estimated release date, and, not later than July 1, 2012, assign each
31 such person a [risk level of high, medium or low] level 1, level 2 or
32 level 3 risk level. For the purposes of this subsection, "level 1" means
33 there is a low risk of reoffending; "level 2" means there is a moderate
34 risk of reoffending; and "level 3" means there is a high risk of
35 reoffending.

36 Sec. 2. Subsection (a) of section 54-258 of the general statutes is
37 repealed and the following is substituted in lieu thereof (*Effective July*
38 *1, 2012*):

39 (a) (1) Notwithstanding any other provision of the general statutes,
40 except subdivisions (3), (4) and (5) of this subsection, information
41 contained in the registry maintained by the Department of Public
42 Safety concerning registrants assigned a level 2 or level 3 risk level
43 pursuant to subsection (c) of section 54-259a, as amended by this act,
44 shall be a public record and shall be accessible to the public during
45 normal business hours. The Department of Public Safety shall make
46 registry information concerning registrants assigned a level 2 or level 3
47 risk level available to the public through the Internet. Not less than
48 once per calendar quarter, the Department of Public Safety shall issue

49 notices to all print and electronic media in the state regarding the
50 availability and means of accessing the registry. Each local police
51 department and each state police troop shall keep a record of all
52 registration information transmitted to it by the Department of Public
53 Safety, and shall make [such] information concerning registrants
54 assigned a level 2 or level 3 risk level accessible to the public during
55 normal business hours.

56 (2) (A) Any state agency, the Judicial Department, any state police
57 troop or any local police department may, at its discretion, notify any
58 government agency, private organization or individual of registration
59 information concerning a registrant assigned a level 2 or level 3 risk
60 level when such agency, said department, such troop or such local
61 police department, as the case may be, believes such notification is
62 necessary to protect the public or any individual in any jurisdiction
63 from any person who is subject to registration under section 54-251,
64 54-252, 54-253 or 54-254.

65 (B) Whenever a registrant assigned a level 2 or level 3 risk level is
66 released into the community, the Department of Public Safety shall, by
67 electronic mail, notify the superintendent of schools for the school
68 district in which the registrant resides, or plans to reside, of such
69 release and provide such superintendent with the same registry
70 information for such registrant that the department makes available to
71 the public through the Internet under subdivision (1) of this
72 subsection.

73 (3) Notwithstanding the provisions of subdivisions (1) and (2) of
74 this subsection, state agencies, the Judicial Department, state police
75 troops and local police departments shall not disclose the identity of
76 any victim of a crime committed by a registrant or treatment
77 information provided to the registry pursuant to sections 54-102g and
78 54-250 to 54-258a, inclusive, except to government agencies for bona
79 fide law enforcement or security purposes.

80 (4) Notwithstanding the provisions of subdivisions (1) and (2) of

81 this subsection, registration information the dissemination of which
82 has been restricted by court order pursuant to section 54-255 and
83 which is not otherwise subject to disclosure, shall not be a public
84 record and shall be released only for law enforcement purposes until
85 such restriction is removed by the court pursuant to said section.

86 (5) Notwithstanding the provisions of subdivisions (1) and (2) of
87 this subsection, a registrant's electronic mail address, instant message
88 address or other similar Internet communication identifier shall not be
89 a public record, except that the Department of Public Safety may
90 release such identifier for law enforcement or security purposes in
91 accordance with regulations adopted by the department. The
92 department shall adopt regulations in accordance with chapter 54 to
93 specify the circumstances under which and the persons to whom such
94 identifiers may be released including, but not limited to, providers of
95 electronic communication service or remote computing service, as
96 those terms are defined in section 54-260b, and operators of Internet
97 web sites, and the procedure therefor.

98 (6) When any registrant completes the registrant's term of
99 registration or is otherwise released from the obligation to register
100 under section 54-251, 54-252, 54-253 or 54-254, the Department of
101 Public Safety shall notify any state police troop or local police
102 department having jurisdiction over the registrant's last reported
103 residence address that the person is no longer a registrant, and the
104 Department of Public Safety, state police troop and local police
105 department shall remove the registrant's name and information from
106 the registry.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	54-259a(a) to (c)
Sec. 2	<i>July 1, 2012</i>	54-258(a)

Statement of Purpose:

To require that registered sexual offenders be assessed for the risk of reoffending and provide that only registration information concerning offenders assessed as moderate or high risk of reoffending be available to the public.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]