

BILL NO. 29-0239

Twenty-Ninth Legislature of the Virgin Islands

November 23, 2011

An Act amending chapter 86 of title 14 of the Virgin Islands Code, to expand the laws of the Territory regarding the monitoring and tracking of sex offenders within this jurisdiction with the purpose of affording greater protection for the people of the Virgin Islands from sexual exploitation and violent crime, preventing child abuse and child pornography, promoting internet safety and educating the community about sex offenders, and for other purposes

PROPOSED BY: Senator Ronald E. Russell by Request of the Governor

1 **WHEREAS**, Congress has enacted laws establishing a comprehensive national system
2 for the registration of sex offenders and offenders against children; and

3 **WHEREAS**, Congress currently provides grants to the States and Territories under the
4 Edward Byrne Memorial Justice Assistance Grant Program in order to provide additional
5 personnel, equipment, supplies, contractual support, training, technical assistance, and
6 information systems for law enforcement, which grants are administered in the Virgin Islands by
7 the Law Enforcement Planning Commission, and

8 **WHEREAS**, in order to encourage States and Territories to amend their statutes in
9 conformance with the Federal Sex Offender Registration and Notification Act (hereinafter,
10 "SORNA"), Congress has determined that federal grant funds provided under the Edward Byrne

1 (3) Any sex offender who is employed in the territory of the United States
2 Virgin Islands in any capacity, including, but not limited to the Government of the Virgin
3 Islands or a private employer or is otherwise employed within the territory of the United
4 States Virgin Islands, regardless of location, that changes their employment, or otherwise
5 terminates their employment, shall appear within three (3) business days in person at the
6 Department of Justice to update that information. The Department of Justice shall ensure
7 that each jurisdiction in which the sex offender is required to register prior to the updated
8 information being given, are notified within three (3) business days of the change.

9 (4) All sex offenders required to register in this jurisdiction shall appear in
10 person at the Department of Justice at least twenty one (21) calendar days prior to any
11 intended travel outside of the United States and provide information about their intended
12 travel as may be required by the Attorney General.

13 (7) Subsection 1724 (c) is replaced with the following language:

14 (c) Before moving from the United States Virgin Islands to another
15 jurisdiction within the United States, a person required to register shall register his new address,
16 temporary or permanent, with the Department of Justice before he leaves the territory. Upon
17 arriving in the new state, territory or Indian tribe, a person required to register shall report said
18 arrival to the Department of Justice and register with the agency responsible for registering sex
19 offenders in the new state, territory or Indian tribe of residency within three (3) days of his
20 arrival. The registration information of that person will be removed from the Virgin Islands
21 registry when proof is provided showing that he is registered in the new state, territory or Indian
22 tribe. If a person required to register moves to a foreign country, he must register his new
23 address with the Department of Justice before he leaves the territory and register in the foreign
24 country if there is a registration requirement in that country.

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Amend

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(14) Information related to a sex offender's school, which includes:

(i) the address of each school where the sex offender is or will be a student,

and

(ii) the name of each school the sex offender is or will be a student as

defined in this Chapter.

(15) A valid social security number for the sex offender and all social security numbers used by the sex offender in the past, valid or otherwise.

Amended
(16) Within twenty-one (21) days prior to Travel for 7 days or more, the sex offender shall provide the following information:

(i) identifying information of the temporary lodging locations

including addresses and names, and

(ii) the dates the sex offender will be staying at each temporary

lodging location.

(17) The text of each provision of law defining the criminal offense(s) for which the sex offender is registered.

(18) Information related to all vehicles owned or operated by the sex offender for work or personal use including land vehicles, aircraft and watercraft, which includes:

(i) license plate numbers;

(ii) registration numbers or identifiers;

(iii) general description of the vehicle to include color, make, model,

and year; and

(iv) any permanent or frequent location where any covered vehicle is

kept.

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2 (19) Within twenty-one (21) days prior to travelling outside of the United States, the sex offender shall provide the following information:

- 3 (i) Destination;
- 4 (ii) Dates/Places of arrival and departure;
- 5 (iii) Itinerary details;
- 6 (iv) Address or Contact Information while in destination country;
- 7 (v) Purpose of Travel;
- 8 (vi) Any other information as may be required by the Attorney General; and

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10 (vii) In addition to any other information sharing requirements of this chapter, any information regarding a sex offender's intended or actual travel
11 outside of the United States will be immediately forwarded by the Department of
12 Justice to the United States Marshals Service.

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14 (20) Any other information required by the Attorney General.

15 (3) Subsection 1726(c) is deleted and replaced with the following language:

16 (c) The Department of Justice shall establish policies and procedures to ensure the
17 following:

18 (1) That any sex offender confined, incarcerated or sentenced by the courts of
19 this Territory of the United States Virgin Islands for a covered sex offense completes
20 their initial registration with the Department of Justice;

21 (2) That the sex offender reads, or has read to them, and signs an
22 acknowledgement form stating that the duty to register has been explained to them by the
23 Department of Justice and that the sex offender understands the registration requirement;

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