



**Military Justice Guide to Sex Offender  
Registration Requirements**

**The attorneys at Military Justice International recommend that qualified civilian counsel be retained and recommended for military members seeking professional legal advice in the state-specific area of post-military conviction sex offender registration requirements.**

## **Contents**

|                        |    |                       |    |
|------------------------|----|-----------------------|----|
| Introduction           | 4  |                       |    |
| Summary of Federal Law | 5  |                       |    |
| Military Rules         | 6  |                       |    |
| State Statutes         | 7  |                       |    |
| Alabama                | 9  | Nebraska              | 47 |
| Alaska                 | 10 | Nevada                | 48 |
| Arizona                | 11 | New Hampshire         | 49 |
| Arkansas               | 13 | New Jersey            | 51 |
| California             | 14 | New Mexico            | 52 |
| Colorado               | 15 | New York              | 53 |
| Connecticut            | 16 | North Carolina        | 55 |
| Delaware               | 18 | North Dakota          | 56 |
| District of Columbia   | 19 | Ohio                  | 58 |
| Florida                | 21 | Oklahoma              | 59 |
| Georgia                | 22 | Oregon                | 60 |
| Hawaii                 | 23 | Pennsylvania          | 61 |
| Idaho                  | 24 | Rhode Island          | 63 |
| Illinois               | 25 | South Carolina        | 65 |
| Indiana                | 27 | South Dakota          | 66 |
| Iowa                   | 29 | Tennessee             | 67 |
| Kansas                 | 30 | Texas                 | 68 |
| Kentucky               | 31 | Utah                  | 69 |
| Louisiana              | 32 | Vermont               | 70 |
| Maine                  | 34 | Virginia              | 72 |
| Maryland               | 35 | Washington            | 74 |
| Massachusetts          | 38 | West Virginia         | 75 |
| Michigan               | 40 | Wisconsin             | 76 |
| Minnesota              | 41 | Wyoming               | 77 |
| Mississippi            | 42 |                       |    |
| Missouri               | 44 | Recommended resources |    |
| Montana                | 46 | and works cited       | 78 |

**This guide was updated in August, 2010. Statutes should always be reviewed for each individual case as they change often and require updated review for reliable analysis.**

## **Introduction**

Military justice attorneys regularly face the question of whether an accused charged with a sexual crime under the UCMJ will have to register as a sex offender under federal or state law if convicted at court-martial. These questions are complicated by the various sexual offense distinctions under the new UCMJ Article 120, the lack of detail in the DOD reporting instructions, and the various state laws and interpretations by agencies implementing their respective state statutes. Neither the federal criminal justice system, nor the military justice system, govern the registration of sex offenders. The individual states decide and monitor sex offender registration requirements.

Separate sections in this guide introduce the reader to the Federal, Military, and State laws applicable to sexual offender registration. An overview of the Federal and DOD authority precedes a summary of each individual state's statutory requirements, including citations to the statutes, covered offenses, registration rules, and duration of the registration requirements.

This guide is designed as a resource for military law practitioners researching these questions in order to advise their respective clients, colleagues, victims, and convening authorities. It is not offered as legal advice or a final answer to registration questions and it should not be relied upon for those purposes. The statutes themselves, interpreted by a qualified attorney, should be the only resource for individual cases.

## Summary of Federal Laws

There currently is no system of federal sex offender registration. The federal government, however, requires that each state establish sex offender registration laws under the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act. That law, 42 U.S.C. Section 14071, requires states to register offenders convicted of offenses against a victim who is a minor; sexually violent offenses; and, sexually violent offenses where the offender has a mental abnormality that makes the person likely to engage in further predatory sexually violent offenses. Today, all fifty states and Washington, D.C. have sex offender registries. The “Wetterling Act” laws apply to military offenders and offenses by requiring that each State include those who were convicted in another State, and have procedures in place to accept registration from residents who were sentenced by a court-martial.

The Adam Walsh Child Protection and Safety Act of 2006 expanded the definition of a sex offense and mandated that the Department of Justice (DOJ) establish a national sex offender registry website to collect all relevant sex offender information from the states so that it could be found in one location. In 2008, one of the agencies established by this act published guidelines for sex offender registration and notification procedures. These guidelines require military correctional and supervision personnel to notify the receiving jurisdiction's authorities concerning the release of sex offenders to their state.

## **Military Rules**

Department of Defense Instruction 1325.7 lists the UCMJ offenses that require military officials to notify state officials upon release of service members or transfer of unconfined service members who are convicted at special or general courts-martial of sexually violent offenses and offenses against minor victims.

### **DODI 1325.7 lists the covered UCMJ sexual offenses as follows:**

- a.** Rape and carnal knowledge in violation of Article 120;
- b.** Forcible sodomy and sodomy of a minor in violation of Article 125;
- c.** Conduct unbecoming an officer (involving any sexually violent offense, a criminal offense of a sexual nature against a minor, or kidnapping of a minor) in violation of Article 133;
- d.** Prostitution involving a minor, indecent assault, assault with intent to commit rape or sodomy, indecent act with a minor, indecent language to a minor, kidnapping of a minor (not by a parent);
- e.** Pornography involving a minor;
- f.** Conduct prejudicial to good order and discipline or assimilative crime conviction (involving any sexually violent offense or a criminal offense of a sexual nature against a minor or kidnapping of a minor), in violation of Article 134;
- g.** Attempt to commit any of the foregoing, in violation of Article 80;
- h.** Conspiracy to commit any of the foregoing in violation of Article 81;
- i.** Solicitation to commit any of the foregoing in violation of Article 82.

Although the UCMJ was amended in 2007 to amend Article 120 and Article 134 with regard to a list of sexual offense descriptions, DODI 1325.7 has not been updated since then to reflect those changes to the UCMJ. Military justice practitioners and corrections officials are then faced with the challenge of following the instruction, by analogy in some cases, to the amended descriptions and elements for sex offenses under the UCMJ since the amendment took effect in October 2007.

Corrections officials ensure the registration requirements of DODI 1325.7 are met for military sexual offenders in confinement facilities. For any case in which the sentence of a special or general court-martial involves a finding of guilty of a covered offense without adjudged confinement, the trial counsel should provide notice that the military sexual offender is subject to a registration requirement as a sex offender.

Military sexual offenders, who are subject to registration requirements as a sex offender in any State or U.S. territory in which they reside, who are employed, carry on a vocation, or are a student, are also required to register at the installation where assigned. Violations by military sexual offenders of the registration requirement are also punishable under UCMJ, Art. 92.

## State Statutes

All 50 states and the District of Columbia have now established sex offender registration laws. With regard to convictions before these laws were passed, the U.S. Supreme Court has ruled that the Ex Post Facto Clause of the U.S. Constitution does not apply to retroactive sex offender registration requirements because the requirement to register is administrative, not punitive. *Smith v. Doe*, 538 U.S. 84 (2003).

Because state sex offender registration laws change frequently and vary widely in size and scope, a careful and current look at the details in each particular state is essential in each case where advice or a recommendation is offered on this issue. The following summary and state specific sections, however, are offered as an aid to that research.

Some states still have not complied with the federal statute requirement to ensure that military offenders are specifically included in state sex offender registration systems. The language in each state statute on that issue, falls into one of the following types of phrasing regarding who must register. The language varies from state to state, but is generally divided by;

- States referring to the "federal court" or "federal law" convictions,
- States referring to convictions in "another jurisdiction,"
- States referring to convictions that "require registration in the federal or military system," or
- States referring specifically to a conviction in a "military offense" or "military court."

The application of the more ambiguous statute descriptions can be uncertain without establishing what each state means by their own language. Without legislative history reports or case law interpreting the specific portion of the state statute, the application of this language to a military offender is not always clear.

Not all states referring to convictions in "federal court" or "federal law" offenses, for example, are as clear as others like Georgia or others, which specifically include those who were "convicted under the laws of another state or the United States, under the Uniform Code of Military Justice, or in a tribal court of a sexually violent offense."

A majority of states refer specifically to "military offense" or "military court" language to ensure that military sex offenders register in their state.

Even once it is determined which states require registration for military offenders, there is the question of which military offenses under the UCMJ require registration in each state. Some states specifically list the offenses that require registration, some cross-reference other statutes, some have a partial list, some reference federal statutes, and some default to "or required to register elsewhere" language.

The offenses in Department of Defense Instruction (DoDI) 1325.7 should be compared against the list of offenses in the state list if there is one, although this becomes more difficult with Article 134 offenses that are not listed in DoDI 1325.7 and the new Article 120 offenses which are separated into an often-times confusing number of factual distinctions.

Application of the statutory list methodology to the military, however, is clear in many cases. As with the comprehensive list, the practitioner should compare the list of offenses in DoDI 1325.7 against the state's statutory list to apply the state law to the military.

States that use the "required to register elsewhere" language incorporate by reference the sex offender registration requirements of the rest of the states. By incorporating every other state's registration requirements into their own, these states essentially create a "super registration" statute that consists of the offenses requiring registration from all of the states.

From a practical perspective, determine which state an accused sex offender will live in after serving any confinement time and determine what military registration language that state statute uses, the charged offense can be compared to DoDI 1325.7. If the offense is listed, analyze which offenses under the UCMJ require registration in that state, either by comprehensive list, or statutory list. The solution for analyzing unlisted crimes or those that do not quite compare to the state comprehensive list is to look at the overall theme of the crimes listed. Usually an elements check will show whether the military offense is 'substantially equivalent' and likely to require registration. Even with detailed analysis of a state's statute, considering that the DoDI 1325.7 has not been updated to include the 2007 revisions to Article 120, UCMJ, and the complexities of the incomplete coverage under many of the statutes, it is no surprise that this determination can sometimes be a difficult one. If necessary, each state's registration authorities can also be contacted for further clarification.

## Alabama

**Statute:** ALA. CODE 13A-11-200 to 204

**Relevant language for registration offenses:** Statute includes “United States” or “Federal Government” language.

**Offenders required to register:** A person convicted, incarcerated, and released for one of the following offenses: rape in the first or second degree; sodomy in the first or second degree; sexual torture; sexual abuse; or incest when offender is 20 years old or older and the victim is under the age of 18.

**Access to Information:** Notification by mail and by posting copy of mailed notice in a prominent place at city hall and police station closest to declared residence of released offender. Extent of notification dependent upon population density in area of offenders residence: notification to all persons with residences within 1,500 feet of offender in all other cities with a resident population of 5,000 or more; notification to all persons with residences within 2,000 feet of offender in all other municipalities with a resident population of less than 5,000; notification within 1,000 feet in Birmingham, Mobile, Huntsville and Montgomery.

**Duration of Requirement:** Life.

**Penalty for Non-compliance:** Felony, 1 to 10 years imprisonment and up to \$1,000 fine.

**Administrating Agency:** State Department of Public Safety, local law enforcement.

## Alaska

**Statute:** ALASKA STAT. 12.63.010-100

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language.

**Offenders required to register:** Adult sex offenders or child kidnappers and juveniles tried and convicted as adults.

**Access to Information:** The public has access to information on registrants through Alaska's internet site. All offenders required to register, whether they are registered, have never registered, registered but are out-of-compliance, or in jail, will be on the internet

**Duration of Requirement:** Lifetime registration if convicted of one aggravated sex offense; or two or more sex offenses, two or more child kidnappings, or one sex offense and one child kidnapping. 15 years following the sex offender's or child kidnapper's unconditional discharge from a conviction for a single sex offense that is not an aggravated sex offense or for a single child kidnapping if the sex offender or child kidnapper has supplied proof that is acceptable to the department of the unconditional discharge and no other offenses have been committed.

**Penalty for Non-compliance:** Class A misdemeanor. Class C felony if there is a prior conviction for failing to register.

**Administrating Agency:** State Department of Public Safety, local law enforcement.

## Arizona

**Statute:** ARIZ. REV. STAT. ANN. 13-3821 to 3829

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language.

**Offenders required to register:** A person who has been convicted of a violation or attempted violation of any of the following offenses or who has been convicted of an offense committed in another jurisdiction which if committed in this state would be a violation or attempted violation of any of the following offenses or an offense that was in effect before September 1, 1978 and that, if committed on or after September 1, 1978, has the same elements of an offense listed in this section or who is required to register by the convicting jurisdiction, within ten days after the conviction or within ten days after entering and remaining in any county of this state, register with the sheriff of that county: Unlawful imprisonment if the victim is under eighteen years of age and the unlawful imprisonment was not committed by the child's parent; Kidnapping if the victim is under eighteen years of age and the kidnapping was not committed by the child's parent; Sexual abuse if the victim is under eighteen years of age; Sexual conduct with a minor; Sexual assault; Sexual assault of a spouse if the offense was committed before August 12, 2005; Molestation of a child; Continuous sexual abuse of a child; Taking a child for the purpose of prostitution; Child prostitution; Commercial sexual exploitation of a minor; Luring a minor for sexual exploitation; Sex trafficking of a minor; A second or subsequent violation of indecent exposure to a person under the age of fifteen years; A second or subsequent violation of public sexual indecency to a minor under the age of fifteen years; A third or subsequent violation of indecent exposure; A third or subsequent violation of public sexual indecency, Failure to register. Unlawful age misrepresentation. Aggravated Luring of a minor for sexual exploitation.

The judge who sentences a defendant for any violation of chapter 14 or 35.1 of this title or for an offense for which there was a finding of sexual motivation may require the person who committed the offense to register pursuant to this section.

**Access to Information:** For level one (low risk) offenders, the local law enforcement agency that is responsible for notification shall maintain information about the offender. The local law enforcement agency may disseminate this information to other law enforcement agencies and may give notification to the people with whom the offender resides. State law requires mandatory community notification on all offenders assessed as a Level 2 (Intermediate Risk) or Level 3 (High Risk). Notification shall be made to the surrounding neighborhood, area schools, appropriate community groups and prospective employers. The notification shall include a flyer with a photograph and exact address as well as a summary of the offender's status and criminal background. A press release and a Level 2 or 3 flyer shall be given to the local electronic and print media to enable information to be placed in a local publication.

**Duration of Requirement:** All persons required to register pursuant to this section are required to register for life except a person who is required to register because of a conviction for the unlawful imprisonment of a minor or the kidnapping of a minor. Absent additional or subsequent convictions a person convicted of either of those two offenses must register for a period of ten

years from the date that the person is released from prison, jail, probation, community supervision or parole and the person has fulfilled all restitution obligations.

**Penalty for Non-compliance:** A person who is subject to registration and who fails to comply is guilty of a class 4 felony.

**Administrating Agency:** State Department of Public Safety. The county sheriff is responsible for registering sex offenders living within their county.

## Arkansas

**Statute:** ARK. CODE. ANN 12-12-901 to 923

**Relevant language for registration offenses:** The statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Anyone who has been found guilty of a sexually violent offense, a sex offense, or certain offenses where the victim was a minor. This includes those on probation or parole or anyone else serving any other form of community supervision. Juveniles are required to register in Arkansas when ordered by the court. Any person who was acquitted on the grounds of mental disease or defect. Out-of-state offenders who were required to register in their own state. Offenders who are registered in another state and work or attend school in Arkansas.

**Access to Information:** As of Jan. 1, 2004 (Act 330) allowed ACIC to create a section on their web site to display information, including pictures, of registered sex offenders that have been assessed at level three and level four. Pursuant to §12-12-911(Viii), some level 2 offenders will be added on the website; these are the offenders that were 18 years of age or older at the time of the commission of the sex offense and the victim was 14 years of age or younger. Registered sex offenders who have not yet been assessed with a final community notification levels are not included on this website.

**Duration of Requirement:** 15 years (lifetime for a sexually violent predator or if convicted of an aggravated sex offense or multiple offenses) from the date of release from incarceration or being placed on parole or probation or other supervision.

**Penalty for Non-compliance:** A person who fails to register, who fails to report changes of address or fails to comply with assessment as required, shall be guilty of a Class C felony. Class C felonies are punishable by up to 20 years imprisonment and up to a \$10,000 fine.

**Administrating Agency:** Arkansas Crime Information Center.

## California

**Statute:** CAL. PENAL CODE 290-294

**Relevant language for registration offenses:** The statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** California registers adult, juvenile (convicted in juvenile court and sent to a state level incarcerating facility) sex offenders, as well as, out of state residents required to register (in other state) that come to California for work or school purposes.

**Access to Information:** In December of 2004, Ca Department of Justice made available "Megan's Law Public Internet Web Site." This web site displays photos, provides offender information, and contains a mapping component that allows a person to search for sex offenders in a certain area and bring up a map that identifies where these sex registrants are located.

Furthermore, designated law enforcement agencies may provide information to the community about any person required to register as a sex offender by whatever means the entity deems appropriate, when necessary to ensure the public safety.

**Duration of Requirement:** Once convicted or adjudicated, this is lifetime requirement for both juveniles and adults. In order to be relieved of this requirement, juveniles adjudicated in juvenile court may petition to have their record sealed; adults may petition the court for a Certificate of Rehabilitation in some cases or a full Governor's Pardon in other cases.

**Penalty for Non-compliance:** There are various criminal penalties that apply to persons who fail to comply with the sex offender registration requirements. In general, a person convicted of a registering felony sex offense who willfully violates the registration law is guilty of a felony. A person convicted of a registering misdemeanor sex offense who violates the registration law is guilty of a misdemeanor on the first violation, and subsequent convictions for violating the registration law are felonies.

**Administrating Agency:** State Department of Justice, local law enforcement agencies (LEAs). The local LEAs are the actual registering agencies. The registering agencies have the ability to update the DOJ database with specified address information.

## Colorado

**Statute:** COLO. REV. STAT. ANN. 16-22-101 to 115

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Adult and juvenile sex offenders convicted in the state of Colorado on or after July 1, 1991 for sex offenses against children, on or after July 1, 1994 for all sex offenses. Also applies to out of state offenders.

**Access to Information:** The public has access to information on registered sexual offenders in their local jurisdiction through their local law enforcement agency. Lists of offenders in other jurisdictions may be available through the Colorado Bureau of Investigation. In Colorado, the SOR information is considered a public record.

**Duration of Requirement:** Sexually violent predators must re-register quarterly for life. Class 2 or 3 felony, 20 years from the date of final release from court jurisdiction. Class 4, 5, or 6 felony 10 years from the date of final release from court jurisdiction.

**Penalty for Non-compliance:** If the offender is convicted of a felony sex offense, felony failure to register charges are filed, if sex offense for which offender is required to register was a misdemeanor, misdemeanor charges are filed for failure to register.

**Administrating Agency:** State Department of Investigation, local law enforcement.

## Connecticut

**Statute:** CONN. GEN. STAT. ANN. 54-250 to 261

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Connecticut requires, under C.G.S. 54-252, any person who has been convicted or found not guilty by reason of mental disease or defect of a sexually violent offense, and (1) is released into the community on or after October 1, 1988, and prior to October 1, 1998, and resides in this state, shall, on October 1, 1998, or within three days of residing in this state, whichever is later, or (2) is released into the community on or after October 1, 1998, shall, within three days following such release, register with the Commissioner of Public Safety for life.

Connecticut also requires, under C.G.S. 54-251, any person who has been convicted or found not guilty by reason of mental disease or defect of a criminal offense against a victim who is a minor or a nonviolent sexual offense, and is released into the community on or after October 1, 1998, shall, within three days following such release, and whether or not such person's place of residence is in this state, register with the Commissioner of Public Safety for ten years.

Connecticut also requires under C.G.S. 54-253, any person who has been convicted or found not guilty by reason of mental disease or defect in any other state, in a federal or military court or in any foreign jurisdiction of any crime, the essential elements of which are substantially the same as any of the crimes specified in subdivisions (2), (5) and (11) of section 54-250 and who resides in this state on and after October 1, 1998, shall, within ten days of residing in this state, register with the Commissioner of Public Safety.

Connecticut also requires, under C.G.S. 54-254, any person who has been convicted or found not guilty by reason of mental disease or defect in this state on or after October 1, 1998, of any felony that the court finds was committed for a sexual purpose, may be required by the court upon release into the community to register such person's name, identifying factors, criminal history record and residence address with the Commissioner of Public Safety.

Definitions for the terms "sexually violent offense", "criminal offense against a victim who is a minor" and a "nonviolent sexual offense" may be found along with the full text of Connecticut's Sex Offender Registry statutes in Volume 13, Title 54, Chapter 969 of the Connecticut General Statutes under the Legislative section at [www.CT.gov](http://www.CT.gov) .

**Access to Information:** Under legislation effective October 1, 1998, two procedures for public access were established: (1) a copy of the sex offender registrations became available for public inspection in law enforcement agencies serving the sex offenders residence municipality, and (2) the statewide sex offender registry on the Internet was established, to be available January 1, 1999. Law enforcement agencies must make the copies of the registration information available during business hours. The Internet site is available 24 hours a day, 7 days a week.

**Duration of Requirement:** 10-year registration after conviction and release into the community for non violent and crimes against a minor victim. Lifetime registration after conviction and release into the community for crimes defined as a sexually violent offense under C.G.S. 54-250 or for any individual who is convicted of crime requiring registration who has a prior conviction of any such offense.

**Penalty for Non-compliance:** Class D felony.

**Administrating Agency:** Connecticut Department of Public Safety Sex Offender Registry Unit.

## Delaware

**Statute:** DEL. CODE ANN. TITLE 11, 4120-4122

**Relevant language for registration offenses:** Statute includes “United States” or “Federal Government” language.

**Offenders required to register:** All offenders convicted of sex offenses specified under Delaware Law, the laws of another state, the United States, U.S. Territories, the U.S. Military, or convicted in foreign countries are required to register. Persons who have been arrested but not convicted are not required to register.

**Access to Information:** The public can access records regarding every sex offender who is thereafter designated to Risk Assessment Tier 2 or Tier 3 pursuant to this section. Such records shall also include the last verified address for the offender, and shall identify the specific sex offense(s) for which the offender was convicted, and the date(s) of the conviction(s). The records may also include other information designated for public access by the Superintendent of the Delaware State Police. These records shall be searchable by the name of the sex offender and by suitable geographic criteria, and shall be made available to the public upon request through police agencies and public libraries, and by means of the Internet.

**Duration of Requirement:** 15 year registration following release from parole or probation for sex offenders designated to Risk Assessment Tier 1 or 2. Lifetime registration for sex offenders designated to Risk Assessment Tier 3, or if the person is designated to Risk Assessment Tier 1 or 2, and has previously been convicted of sex offenses.

**Penalty for Non-compliance:** Class G felony, parole/probation revocation.

**Administrating Agency:** Delaware State Police.

## District of Columbia

**Statute:** D.C. CODE 22-4001 to 4017

**Relevant language for registration offenses:** Statute includes “United States” or “Federal Government” language and also includes “another jurisdiction” or “any court” language.

**Offenders required to register:** Anyone convicted of felony sexual assault (regardless of the age of the victim); an offense involving sexual abuse or exploitation of minors; or sexual abuse of wards, patients or clients.

**Access to Information:** The Sex Offender Registry database provides information on Class A and Class B sex offenders only. If you would like to see a complete list of all Class A, B, and C Offenders, you must go, in person, to one of the MPDC Registry Book locations. Class A Sex Offenders have been convicted of or found not guilty by reason of insanity the following sex offenses: First Degree Sexual Abuse; Second Degree Sexual Abuse; Forcible rape; First Degree Child Sexual Abuse of a child under 12 years of age; Carnal Knowledge of a child under 12 years of age; Murder or Manslaughter committed before, during or after engaging or attempting to engage in a sexual act, sexual contact or rape; Forcible Sodomy; Sodomy committed against a child under 12; Assault with the intent to commit any of the aforementioned Act; Attempting to commit any of the aforementioned Acts; Conspiring to commit any of the aforementioned Acts; Two separate convictions for registration offenses; A conviction for committing registration offenses against two or more victims. Class B Sex Offenders have been convicted of or found not guilty by reason of insanity any of the following sex offenses against a minor, that is, a person under the age of 18: Third Degree Sex Abuse; Fourth Degree Sex Abuse; Misdemeanor Sex Abuse; First Degree Child Sexual Abuse; Second Degree Child Sex Abuse; Carnal Knowledge; Sodomy against a Minor; Indecent Acts on a Child; Enticing a Child; Lewd, Indecent or Obscene Acts; Sexual Performance using a Minor; Incest; Obscenity; Prostitution; Pandering; Assault Unwanted sexual touching); Threatening to commit a Sexual Offense; Kidnapping; First or Second Degree Burglary with intent to commit a sexual offense; Assault with intent to commit any of the above offenses; Attempting to commit any of the above offenses; Conspiracy to commit any of the above offenses; Any offense against a minor for which the offender agreed in a plea agreement to be subject to Sex Offender Registration; Conviction in another jurisdiction of a similar criminal offense; First or Second Degree Sexual Abuse against a ward or resident of a hospital, treatment facility or other institution; First or Second Degree Sexual Abuse of a Patient or Client. C Classification will be given to persons convicted of the following offenses against a person 18 years of age or older: Third or Fourth Degree Sexual Abuse; First or Second Degree burglary with the intent to commit a sexual offense; Kidnapping with the intent to commit a sexual offense; Threatening to commit a sex offense. Assault with the intent to commit any of the above criminal offenses; Attempting to commit any of the above criminal offense; Conspiracy to commit any of the above criminal offenses; Any offense for which the offender agreed in a plea agreement to be subject to Sex Offender Registration; Conviction in another jurisdiction of a similar offense.

**Duration of Requirement:** Lifetime registration for Class A offenders, 10 years for all others.

**Penalty for Non-compliance:** Failure to register is a crime. The first violation conviction is a misdemeanor offense. A conviction of a second violation is a felony offense.

**Administrating Agency:** Court Services and Offender Supervision Agency for the District of Columbia.

## Florida

**Statute:** FLA. STAT. ANN. 944.607

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Sexual predators (a higher level of offense) whose date of offense was committed on or after October 1, 1993. Sexual offenders convicted and released on or after October 1, 1997. Juvenile offenders convicted as adults. Persons required to register in another state or jurisdiction as an offender or predator. Juveniles adjudicated delinquent on or after July 1, 2007, for committing, or attempting, soliciting, or conspiring to commit, any of the qualifying crimes specified in Florida Statute when the juvenile was 14 years of age or older at the time of the offense.

**Access to Information:** Information is available to the public, on record and by internet.

**Duration of Requirement:** Registration is required for life, unless a full pardon is issued or the conviction is set aside in a post-conviction proceeding for any offense that met the criteria for the sexual predator/offender designation.

In accordance with guidelines set forth in the federal Adam Walsh Child Protection and Safety Act of 2006, Florida registration law was amended, effective July 1, 2007, and **removed** the ability for a sexual **predator** to petition the court for removal of the sexual predator designation.

Certain individuals required to register as a sexual **offender** who have been lawfully released from confinement, supervision, or sanction, whichever is later, for at least **25** years and have not been arrested for any felony or misdemeanor offense since release, may petition the criminal division of the circuit court in the circuit in which they reside to remove the sexual offender designation. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing. The court has discretion to grant or deny the petition providing it does not conflict with requirements of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other applicable federal provisions.

**Penalty for Non-compliance:** Third degree felony.

**Administrating Agency:** Florida Department of Law Enforcement, local law enforcement.

## Georgia

**Statute:** GA. CODE ANN. 41-1-12 to 15

**Relevant language for registration offenses:** Includes “United States” or “Federal Government” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Persons convicted on or after July 1, 1996 of a criminal offense against a victim who is a minor. Persons convicted on or after July 1, 2006 of a dangerous sexual offense. Persons previously convicted of a criminal offense against a minor and may be released from prison or placed on parole, supervised release, or probation on or after July 1, 1996. Persons sentenced under the first offender act in Georgia, are required to register until the sentence is successfully completed. A nonresident sexual offender who changes residence from another state or territory of the United States to Georgia who is required to register as a sexual offender under federal law, military law, tribal law, or the laws of another state or territory, regardless of when the conviction occurred. A nonresident sexual offender who enters this state for the purpose of employment or any other reason for a period exceeding 14 consecutive days or for an aggregate period of time exceeding 30 days during any calendar year regardless of whether such sexual offender is required to register under federal law, military law, tribal law, or the laws of another state or territory. A nonresident sexual offender who enters this state for the purpose of attending school regardless of whether such sexual offender is required to register under federal law, military law, tribal law, or the laws of another state or territory.

**Access to Information:** The Georgia Bureau of Investigation or any sheriff maintaining records required under this Code section shall release relevant information collected under this Code section that is necessary to protect the public concerning persons required to register under this Code section, except that the identity of a victim of an offense that requires registration under this Code section shall not be released.

**Duration of Requirement:** Life; Or, Per O.C.G.A. 42-1-12 (g) (1) “Any sexual offender required to register under this Code section who meets the criteria set forth in paragraph (2) of this Code section may petition the superior court of the jurisdiction in which the sexual offender is registered to be released from the registration requirements of this Code section. The court may issue an order releasing the sexual offender from further registration if the court finds that the sexual offender does not pose a substantial risk of perpetrating any future dangerous sexual offense. (2) In order to petition the court pursuant to paragraph (1) of this subsection, the sexual offender shall: (A) Have been sentenced pursuant to subsection (c) of Code Section 17-10-6.2; and (B) Have had ten years elapse since his or her release from prison, parole, supervised release, or probation.”

**Penalty for Non-compliance:** First offense is a felony.

**Administrating Agency:** Georgia Bureau of Investigation, Department of Corrections, and Sheriffs.

## Hawaii

**Statute:** HAW. REV. STAT. 846E-1 to 13

**Relevant language for registration offenses:** Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any person convicted at any time of a “sexual offense” or "crime against minors" or charged at any time with a “sexual offense” or "crime against minors" and who is found unfit to proceed and is released into the community or who is acquitted due to a physical or mental disease, disorder, or defect and is released into the community is required to register for life. Further information, including definition of the terms "sexual offense" and "crime against minor," can be found in chapter 846E, Hawaii Revised Statutes (HRS).

**Access to Information:** Registration information shall be disclosed as follows:

(1) The information shall be disclosed to law enforcement agencies for law enforcement purposes; (2) The information shall be disclosed to government agencies conducting confidential background checks; and (3) The attorney general and any county police department shall release public information as provided in section 846E-3, HRS concerning a specific person required to register under this chapter; provided that the identity of a victim of an offense that requires registration shall not be released. However, if the covered offender has been convicted of only one covered offense and that offense is a misdemeanor, the covered offender shall not be subject to the public access requirements.

**Duration of Requirement:** A person must register for life. However, section 846E-10, HRS, provides provisions for termination of registration requirements.

**Penalty for Non-compliance:** Failure to comply with covered offender registration requirements is a class C felony.

**Administrating Agency:** The Department of the Attorney General, Hawaii Criminal Justice Data Center is responsible for the sex offender registry.

## Idaho

**Statute:** IDAHO CODE ANN. 18-8301

**Relevant language for registration offenses:** The statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Adult sex offenders convicted, incarcerated, on probation/parole on or after statute’s effective date July 1, 1993. Juveniles charged as juveniles convicted, incarcerated, on probation/parole on or after July 1, 1998.

**Access to Information:** The law allows release of the sexual offender information, which is available via Internet access.

**Duration of Requirement:** After 10 years adults may petition the court to be relieved of registering. Juveniles are required to register until age 21.

**Penalty for Non-compliance:** Penalty for non-registration is 10 years and a \$5,000 fine.

**Administrating Agency:** State of Idaho, Idaho State Police, Bureau of Criminal Identification; local & county law enforcement.

## Illinois

**Statute:** 730 ILL. COMP. STAT. ANN. 150/1-12

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any adult or juvenile found guilty of any of the following offenses or attempts to commit any of the following offenses:

- forcible detention, if the victim is under 18 years of age
- child abduction (b)(1.9)
- indecent solicitation of a child
- indecent solicitation of an adult
- public indecency for a third or subsequent conviction
- sexual exploitation of a child
- custodial sexual misconduct
- sexual relations within families
- soliciting for a prostitute, if the victim is under 18 years of age
- soliciting for a juvenile prostitute
- pandering, if the victim is under 18 years of age
- keeping a place of juvenile prostitution
- patronizing a prostitute, if the victim is under 18 years of age
- patronizing a juvenile prostitute
- pimping, if the victim is under 18 years of age
- juvenile pimping
- exploitation of a child
- child pornography
- criminal sexual assault
- aggravated criminal sexual assault
- predatory criminal sexual assault of a child
- criminal sexual abuse
- aggravated criminal sexual abuse
- ritualized abuse of a child
- permitting sexual abuse of a minor

A violation of any of the following sections of the Criminal Code of 1961, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, and the offense was committed on or after January 1, 1996:

- kidnapping;
- aggravated kidnapping;
- unlawful restraint ; and
- aggravated unlawful restraint.

An adjudication as a sexually dangerous person.

First degree murder of a person under the age of 18.

**Access to Information:** The name, address, date of birth, and offense or adjudication for registered sex offenders shall be open to inspection by the public. Every municipal police department shall make available at its headquarters the information on all registered sex offenders. The sheriff shall also make available at his or her headquarters the information on all registered sex offenders who live in unincorporated areas of the county. The information shall be made available for public inspection according to procedures set by the department or sheriff, or upon request of any person presented in writing, in person, or by telephone. The law enforcement agency may make available the information on all sex offenders residing within the county. Also, this information can be obtained through the internet link listed below.

**Penalty for Non-compliance:** Any person required to register who violates any of the provisions of the Sex Offender Registration Act is guilty of a Class 3 felony. A second or subsequent violation of the Registration Act, is a Class 2 felony. Mandatory minimum fine of \$500 is incurred for failure to comply with the Act. In addition to any other penalty required by law, the offender shall be required to serve a minimum period of seven days confinement in a local county jail. A sentence of supervision shall not be imposed. In addition to the mandatory confinement, a sex offender shall pay a mandatory minimum fine of \$500. Failure to comply with the Sex Offender Registration Act will result in a 10-year extension of the registration period. The 10-year extension starts when the sex offender registers after the violation. If a sex offender or sexual predator is convicted for a violation of the Act after July 1, 2005, he or she will be required to register every 90 days for the remainder of their registration period.

**Administrating Agency:** The Illinois State Police is the administrating agency for the sex offender registration program, but local and county law enforcement agencies complete the sex offender registration in Illinois.

## Indiana

**Statute:** IND. CODE ANN. 11-8-8-1

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** A sex or violent offender means a person described in one or more of the following categories regardless of when the offense and conviction/adjudication occurred:

### **Adults or Juveniles Convicted as Adults**

- (1) Rape (IC 35-42-4-1).
- (2) Criminal deviate conduct (IC 35-42-4-2).
- (3) Child molesting (IC 35-42-4-3).
- (4) Child exploitation (IC 35-42-4-4(b)).
- (5) Vicarious sexual gratification, including performing sexual conduct in the presence of a minor (IC 35-42-4-5).
- (6) Child solicitation (IC 35-42-4-6).
- (7) Child seduction (IC 35-42-4-7).
- (8) Sexual misconduct with a minor as a Class A, Class B, or Class C felony (IC 35-42-4-9) unless:
  - A. The person is convicted of sexual misconduct with a minor as a Class C felony; and
  - B. The person is not more than four (4) years older than the victim if the offense was committed after June 30, 2007; and
  - C. The sentencing court finds that the person should not be required to register as a sex or violent offender.
  - D. Items A, B, and C only apply to offenders who have committed and are convicted of this offense on or after July 1, 2007.
- (9) Incest (IC 35-46-1-3).
- (10) Sexual battery (IC 35-42-4-8).
- (11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim’s parent or guardian.
- (12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim’s parent or guardian. The italicized text only applies to offenders who have committed and are convicted of this offense on or after July 1, 2007.
- (13) Possession of child pornography (IC 35-42-4-4(c)).
- (14) Promoting prostitution (IC 35-45-4-4) as a Class B felony.
- (15) Promotion of human trafficking (IC 35-42-3.5-1(a)(2)) if the victim is less than eighteen (18) years of age.
- (16) Sexual trafficking of a minor (IC 35-42-3.5-1(b)).
- (17) Human trafficking (IC 35-42-3.5-1(c)(3)) if the victim is less than eighteen (18) years.

(18) Murder (IC 35-42-1-1).

(19) Voluntary manslaughter (IC 35-42-1-3).

(20) An attempt or conspiracy to commit a crime listed in subdivisions (1) through (19).

### **Adjudicated Delinquents**

The term sex or violent offender includes a child who has committed a delinquent act and who:

1. is at least fourteen (14) years of age;
2. is on probation, is on parole, is discharged from a facility by the department of correction, is discharged from a secure private facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in “Adults or Juveniles Convicted as Adults” if committed by an adult; and
3. is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in “Adults or Juveniles Convicted as Adults”.

### **Out-of-State Offenders**

The term sex or violent offenders includes offenders who are required to register as a sex or violent offender in any jurisdiction or offenders that have committed a crime under the laws of another jurisdiction, including a military court that is substantially equivalent to any of the offenses listed under “Adults or Juveniles Convicted as Adults”.

**Access to Information:** The Indiana Sex and Violent Offender Registry presents detailed information, including photographs and addresses, about individuals who register as sex or violent offenders at Indiana sheriffs departments. This information is available at [www.insor.org](http://www.insor.org).

**Duration of Requirement:** As a part of the Registration required under IC 11-8-8, sex or violent offenders who have been: identified as sexually violent predators; convicted of at least 1 offense that the sex or violent offender committed when he/she was at least 18 years of age and against a victim who was less than 12 years of age at the time of the crime; or committed an offense that proximately caused serious bodily injury or death to the victim, used force or the threat of force against the victim or a member of the victim's family, or rendered the victim unconscious or otherwise incapable of giving voluntary consent, is required to register for life. All other offenders are required to register until the expiration of 10 years after the date the sex or violent offender is released, placed in community corrections program, parole, or probation for the offense requiring registration.

**Penalty for Non-compliance:** Class D or Class C Felony

**Administrating Agency:** Registry is maintained by the Indiana Department of Correction.

## Iowa

**Statute:** IOWA CODE ANN. 692A.1-16

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language. Individuals who have been convicted or adjudicated of a criminal offense against a minor, sexual exploitation, or a sexually violent crime or who was on probation, parole, or work release status, or who was incarcerated on or after July 1, 1995 is required to register. Registration includes individuals that have received a deferred sentence or deferred judgments and can include convictions from other jurisdictions such as other states and/or federal convictions.

**Access to Information:** Available to the public.

**Duration of Requirement:** An individual required by law to register with the Iowa Sex Offender Registry must do so for a period of 10 (ten) years. The 10-year time period will recommence upon probation/parole revocations. Upon subsequent sex-related convictions, the registrant's registration period changes to lifetime or if a registrant is convicted of an "aggravated offense" he/she must register for life. A sexually violent predator shall register for life.

**Penalty for Non-compliance:** A willful failure to register as required by the Code of Iowa, Chapter 692A.7 is an aggravated misdemeanor (not to exceed 2 years imprisonment) for the first offense and a Class “D” felony (not to exceed 5 years imprisonment) for a second or subsequent offense. A person who willfully fails to register and commits a criminal offense against a minor, sexual exploitation or a sexually violent offense commits a Class “C” felony (not to exceed 10 years imprisonment). Failure to register can also result in an automatic revocation of probation, parole, or work release. Failure to cooperate with and complete the annual verification process may result in additional ten years of registration.

**Administrating Agency:** Iowa Department of Public Safety, Division of Criminal Investigation.

## Kansas

**Statute:** KAN. STAT. ANN. 22-4901 to 4913

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Anyone convicted of the following offenses and whose date of offense occurred on or after April 14, 1994, must register and such registration becomes public record: rape, (aggravated) and/or indecent liberties with a child, (aggravated) and/or criminal sodomy, (aggravated) and/or indecent solicitation of a child, sexual exploitation of a child, and aggravated sexual battery. Anyone convicted of the following offenses on or after April 14, 1994, must register, and if date of offense occurred on or after July 1, 1997, such registration becomes public record: sexual battery and aggravated incest. Anyone convicted of the following offenses on or after July 1, 1997, must register, and if date of offense occurred on or after July 1, 1997, such registration becomes public record: capital murder, first degree murder, second degree murder, voluntary (and involuntary) manslaughter, kidnapping (except by a parent), aggravated kidnapping, criminal restraint (except by a parent) when the victim is less than 18 years of age, adultery, criminal sodomy, promoting prostitution, patronizing a prostitute, lewd and lascivious unlawful sexual conduct when one of the parties involved is less than 18 years of age. Effective July 1, 2001 Any person who is a Kansas resident who has been required to register under any federal, military, or other state's law will be required to register in Kansas even if their conviction was prior to our effective date.

**Access to Information:** The general public has access to SOR information through an Internet website. Members of the public may also inspect registration records at a local sheriff's office or at the Kansas Bureau of Investigation. (The date of commission of specific offenses determines whether an offender's registration information is a public record.)

**Duration of Requirement:** Sexually violent predators - until the court determines the person is no longer a sexually violent predator; certain other offenders - 10 years: If more than one conviction and aggravated offenses, LIFE.

**Penalty for Non-compliance:** Failure to register, failure to update the registration or any other violation of the Kansas Offender Registration Act is a Severity Level Five (5) person Felony.

**Administrating Agency:** Kansas Bureau of Investigation , Department of Corrections and local law enforcement, county sheriff.

## Kentucky

**Statute:** KY. REV. STAT. ANN. 17.500-580

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:**

- (a) Any person eighteen (18) years of age or older at the time of the offense or any youthful offender, as defined in KRS 600.020, who has committed:
  - 1. A sex crime; or 2. A criminal offense against a victim who is a minor; or
- (b) Any person required to register under KRS 17.510 (registrants from other states that relocate to, or work or study in, Kentucky); or
- (c) Any sexually violent predator; or
- (d) Any person whose sexual offense has been diverted pursuant to KRS 533.250, until the diversionary period is successfully completed.

**Access to Information:** Registrant information can be accessed on the Internet at:

<http://kspsor.state.ky.us/>

**Duration of Requirement:** Pursuant to KRS 17.520, lifetime registration is required for:

- 1. Any person who has been convicted of kidnapping, as set forth in KRS 509.040, when the victim is under the age of eighteen (18) at the time of the commission of the offense, except when the offense is committed by a parent;
- 2. Any person who has been convicted of unlawful confinement, as set forth in KRS 509.020, when the victim is under the age of eighteen (18) at the time of the commission of the offense, except when the offense is committed by a parent;
- 3. Any person convicted of a sex crime:
  - a. Who has one or more prior convictions of a felony offense against a victim who is a minor; or
  - b. Who has one (1) or more prior sex crime convictions;
- 4. Any person who has been convicted of two (2) or more felony criminal offenses against a victim who is a minor;
- 5. Any person who has been convicted of:
  - a. Rape in the first degree under KRS 510.040; or
  - b. Sodomy in the first degree under KRS 510.070; and
- 6. Any sexually violent predator.

All others must register for twenty (20) years.

**Penalty for Non-compliance:** Class D felony for the first offense and a Class C felony for each subsequent offense.

**Administrating Agency:** Kentucky State Police, Department of Corrections, probation/parole officer.

## Louisiana

**Statute:** LA. REV. STAT. ANN. 15:540-552

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any adult residing in this state who has pled guilty to, has been convicted of, or where adjudication has been deferred or withheld for the perpetration or attempted perpetration of any sex offense. Any juvenile, who has attained the age of fourteen years at the time of commission of the offense, who has been adjudicated delinquent based upon the perpetration, attempted perpetration, or conspiracy to commit any sex offense shall register with the sheriff of the parish of the person’s residence, or residences, if there is more than one, and with the chief of police if the address of any of the person’s residences is located in an incorporated area which has a police department. If the offender resides in a parish with a population in excess of four hundred fifty thousand, he shall register with the police department of his municipality of residence. The offender shall also register with the sheriff of the parish or parishes where the offender is an employee and with the sheriff of the parish or parishes where the offender attends school. If the offender is employed or attends school in a parish with a population in excess of four hundred fifty thousand, then he shall register with the police department of the municipality where he is employed or attends school. The offender shall also register in the parish of conviction for the initial registration only. Any person required to register must update their registration annually on the anniversary of the initial registration.

**Access to Information:** Criminal justice agencies shall release relevant and necessary information regarding sex offenders, child predators, and sexually violent predators to the public when release of the information is necessary for public protection. The identity of a victim, or information leading to the identity of a victim, shall not be released. Louisiana State Police has a Sex Offender Website with photos and conviction information available to the public.

**Duration of Requirement:** Louisiana Department of Public Safety and Corrections, Louisiana State Police, Bureau of Criminal Identification and Information, State Sex Offender and Child Predator Registry, the sheriff’s office in the parish of residence, and the police department of the local municipality.

**Penalty for Non-compliance:** Person who fails to register, periodically renew and update registration, provide proof of residence or notification of change of address or other registration information, or provide community notification as required by the provisions, and a person who knowingly provides false information to a law enforcement agency shall, upon first conviction, be fined not more than one thousand dollars and imprisoned with hard labor for not less than two years nor more than ten years without benefit of parole, probation, or suspension of sentence. Upon second or subsequent convictions, the offender shall be fined three thousand dollars and imprisoned with hard labor for not less than five years nor more than twenty years without benefit of parole, probation, or suspension of sentence.

**Administrating Agency:** Louisiana Department of Public Safety and Corrections, Louisiana State Police, Bureau of Criminal Identification and Information, State Sex Offender and Child Predator Registry, the sheriff's office in the parish of residence, and the police department of the local municipality.

## Maine

**Statute:** ME. REV. STAT. ANN., title 34-A, 11, 201-11, 256

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language.

**Offenders required to register:** As of 01/01/1982 a sex offender is a person who is an adult convicted or a juvenile convicted as an adult of a sex offense. A sexually violent predator is one who is an adult convicted or a juvenile convicted as an adult of a sexually violent offense or a sex offense when the person has a prior conviction for a sex offense.

**Access to Information:** Upon the conditional release or discharge of a sex offender from a state correctional institution, law enforcement shall give notice of the information to members of the public who law enforcement determines appropriate to ensure public safety.

**Duration of Requirement:** From 10 years to life, depending on the offense.

**Penalty for Non-compliance:**

1. Failure to comply; first offense is a class D crime.
2. Failure to comply; second offense. A person with 1 prior conviction commits a Class C crime.
3. Failure to comply; third offense: A person who has 2 or more prior convictions under this section commits a Class B crime.

**Administrating Agency:** Maine State Police, State Bureau of Identification.

## Maryland

**Statute:** MD. CODE ANN., CRIM. PROC. 11-701 to 727

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Maryland has 4 registration categories for convicted sexual offenders. These include "Child Sex Offender", "Sexually Violent Offender", "Offender", and "Sexually Violent Predator".

Convicted sexual offenders are required to register if convicted of an offense:

- In Maryland that requires registration as a "Child Sex Offender", "Sexually Violent Offender", "Offender", and "Sexually Violent Predator"; or
- In another state of an offense that would qualify as a registerable offense if committed in Maryland.

Convicted sexual offenders are retroactively required to register if:

- Convicted on or after October 1, 1995 of an offense that occurred before October 1, 1995 and qualifies them as a Child Sex Offender;
- Convicted of an offense on or after July 1, 1997 that occurred before July 1, 1997 and qualifies them as a Sexually Violent Offender; or were
- Under the Custody or Supervision of the Department of Public Safety and Correctional Services on October 1, 2001 for a qualifying sex offense.

"Child Sex Offender" is defined under Maryland law as defendants who have been convicted of the following offenses:

- Sexual Abuse of a Minor;
- Rape First Degree of a child under age 15;
- Rape Second Degree of a child under age 15;
- Sex Offense First Degree of a child under age 15;
- Sex Offense Second Degree of a child under age 15;
- Sex Offense Third Degree of a child under age 15;
- Sex Offense Fourth Degree of a child under age 15 and ordered by the court to register.

"Offenders" is defined under Maryland law as defendants who have been convicted of the following offenses and ordered by the court to register:

- Child Abduction
- Kidnapping of a child under age 16;
- Kidnapping of a child under age 18;
- False Imprisonment (common law) of a child under age 18 by an individual who is not the child's parent;

- Sex Offense Fourth Degree of a child under 18;
- Solicitation of a child under the age of 18 to engage in sexual conduct;
- Manufacturing and Distribution of Child Pornography;
- Offenses involving prostitution if the intended prostitute is under age 18;
- Any crime that involves conduct which, by its nature, is a sexual offense against a child under the age of 18;
- Any attempt to commit a crime listed above.

"Sexually Violent Offender" is defined under Maryland law as defendants who have been convicted of the following offenses:

- Rape First Degree;
- Rape Second Degree;
- Sex Offense First Degree;
- Sex Offense Second Degree;
- Sex Offense Third Degree;
- Attempted Rape or Sexual Offense;
- Assault with Intent to Commit Rape First Degree, Rape Second Degree, Sex Offense First Degree, or Sex Offense Second Degree as described under former Article 27 Section 12A, Annotated Code of Maryland;
- Any attempt to commit an offense listed above.

"Sexually Violent Predator" is defined as a person who has been convicted of a second or subsequent sexually violent offense (listed under Sexually Violent Offenders, above) and has been determined by a court to be at risk of committing a subsequent sexually violent offense.

**Access to Information:** To obtain a copy of the Registry, you can access the Department's website and search the registry or download a hard copy of the registry free of charge.

**Duration of Requirement:** The term of registration begins with the registrant's "release," as outlined above. All registrants must register for 10 years, or for life if the registrant has been: Convicted of Rape First or Second Degree; Sex Offense First, Second, or Third Degree; Sexual Abuse of a Minor if the victim is under the age of 12 and the offense involved "penetration;" or is determined to be a Sexually Violent Predator; or previously required to register and has been convicted of a subsequent violation of any offense requiring registration. All Child Sex Offenders, Sexually Violent offenders, and Offenders must register initially with both the appropriate supervising authority and the designated local law enforcement agency; thereafter, they must register in person semi-annually with the designated local law enforcement agency. Sexually Violent Predators must register initially with both the appropriate supervising authority and the designated local law enforcement agency; thereafter they must re-register in person every 3 months with the designated local law enforcement agency. Non-resident registrants who are working or attending school in Maryland must register for the period of time specified for the category of registration, or until the registrant's employment or student enrollment in Maryland ends (if that occurs before termination of the registration period).

**Penalty for Non-compliance:** A registrant who fails to register or who provides false information may be found guilty, upon first offense, of a misdemeanor and may be subject to imprisonment in the penitentiary for up to three years or a fine of up to \$5,000 or both. A registrant who fails to register or who provides false information may be found guilty, upon second offense, of a felony and may be subject to imprisonment in the penitentiary for up to five years or a fine of up to \$10,000 or both.

**Administrating Agency:** Department of Public Safety and Correctional Services and local law enforcement agencies throughout Maryland.

## Massachusetts

**Statute:** MASS. GEN. LAWS ANN. CH.6, 178C-178Q

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Pursuant to Chapter 6, section 178C of the Massachusetts General Laws, a person is required to register as a sex offender if he/she resides, works or attends an institution of higher learning in the Commonwealth and who has been convicted of a sex offense, or who has been adjudicated as a youthful offender or as a delinquent juvenile by reason of a sex offense, or a person released from incarceration or parole or probation supervision or custody with the Department of Youth Services for such a conviction or adjudication, or a person who has been adjudicated a sexually dangerous person or a person released from civil commitment on or after August 1, 1981. A sex offense includes: an indecent assault and battery on a child under 14; indecent assault and battery on a mentally retarded person; indecent assault and battery on a person age 14 or over; rape; rape of a child under 16 with force; rape and abuse of a child; assault with intent to commit rape; assault of a child with intent to commit rape; kidnapping of a child; enticing a child under the age of 16 for the purposes of committing a crime; enticing away a person for prostitution or sexual intercourse; drugging persons for sexual intercourse; inducing a minor into prostitution; living off or sharing earnings of a minor prostitute; second and subsequent adjudication or conviction for open and gross lewdness and lascivious, but excluding a first or single adjudication as a delinquent juvenile before August 1, 1992; incestuous marriage or intercourse; disseminating to a minor matter harmful to a minor; posing or exhibiting a child in a state of nudity; dissemination of visual material of a child in a state of nudity or sexual conduct; possession of child pornography; unnatural and lascivious acts with a child under 16; aggravated rape; and any attempt to commit a violation of any of the aforementioned sections pursuant to section 6 of chapter 274 or a like violation of the laws of another state, the United States or a military, territorial or Indian tribal authority.

**Access to Information:** Any member of the public who is at least 18 years of age or older may request sex offender information. The information will be provided to any person who is seeking the information for his/her own protection or for the protection of a child under the age of 18 or for the protection of another person whom the requesting person has responsibility, care, or custody. A person may request sex offender information at local police departments or through the Sex Offender Registry Board directly.

**Duration of Requirement:** Sex Offenders are required to register for a period of 20 years after conviction, adjudication or release from all custody, or supervision, whichever occurs last, unless the offender was convicted of two or more sex offenses defined as sex offenses pursuant to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act committed on different occasions, has been convicted of a sexually violent offense, has been determined to be sexually violent or if the sex offender is subject to lifetime registration where the offender’s duty to register shall never be terminated. However, a sex offender may apply to the SORB for relief from registration by providing proof, by clear and convincing evidence that

the offender has not committed a sex offense within 10 years following their conviction, adjudication or release from all custody or supervision, whichever is later, and is not likely to pose a danger to the safety of others.

**Penalty for Non-compliance:** A sex offender required to register who knowingly: (i) fails to register; (ii) fails to verify registration information; (iii) fails to provide notice of a change of address; or (iv) who knowingly provides false information shall be punished as follows. (1) A first conviction shall be punished by imprisonment for not less than six months and not more than two and one-half years in a house of correction nor more than five years in a state prison or by a fine of not more than \$1,000 or by both such fine and imprisonment. (2) A second and subsequent conviction shall be punished by imprisonment for not less than five years.

**Administrating Agency:** Sex Offender Registry Board.

## Michigan

**Statute:** MICH. COMP. LAWS ANN. 28.721-736

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** All persons convicted of one of the listed offenses on or after October 1, 1995 (when the SOR legislation took effect) and those persons who were convicted prior to that date who were still incarcerated, on parole or probation for that offense on 10/01/95 must be registered. All offenders are entered locally by a probation/parole agent or criminal justice agency that dealt with the offender. Offenders must be registered after conviction, and prior to sentencing.

**Access to Information:** As of 5/99, listings by zip code or other identifying criteria of the registered offenders within a jurisdiction are available for inspection by the general public during normal business hours at State Police posts, local law enforcement agencies, and sheriff's departments. Information is also available through the Internet website.

**Duration of Requirement:** Depending upon the charge, offenders will remain on the SOR for 25 years or for life. If the offender is a 25 year duration and is in a state correctional facility, the offender must remain on the list for 10 years after release from the state correctional facility, whichever is longer. (Offenders released from prison must remain on the list for a minimum of 10 years). For example, if an offender served twenty years in prison for one of the listed offenses, upon release he/she would have to remain on the SOR for 10 years.). Anyone convicted after 9/1/99 of: Criminal Sexual Conduct 1st degree; Criminal Sexual Conduct 2nd degree (if victim is under 13 years); Kidnapping (if victim is under 18 years); Child Kidnapping (if victim is under 13); Child Sexual Abusive Activity or Material is subject to lifetime registration.

**Penalty for Non-compliance:** Failure to register is a felony - up to 4 years imprisonment and/or \$2,000 fine; probation/parole or youthful trainee status revoked; Failure to change address is a felony - up to 4 years imprisonment and/or \$2,000 fine. Failure to comply with verification duties is a misdemeanor - up to 93 days and/or \$1,000 fine; Failure to sign the registration form(s) is a misdemeanor - up to 93 days and/or \$1,000 fine. This is for the first conviction.

After January 1, 2006a second conviction is a 1 year misdemeanor and a third conviction is a felony; Failure to sign the registration form(s) is a misdemeanor – up to 93 days and/or \$1,000 fine. Failure to pay a fee is a 90-day misdemeanor. Failure to report campus duties is a 4 year felony.

**Administrating Agency:** State Police, local law enforcement..

## Minnesota

**Statute:** MINN. STAT. ANN. 243-166

**Relevant language for registration offenses:** Statute includes “federal jurisdiction” language.

**Offenders required to register:** Registration: Applies to sex offenders who are released, sentenced, or adjudicated delinquent on or after August 1, 1991. Community Notification: Applies to offenders released from confinement after January 1, 1997. Also applies to out of state Offenders if under supervised release/probation; acceptance of an offender under interstate agreement is conditional on the offender registering, with other requirements; those convicted in the last 10 years for same or similar crime.

**Access to Information:** Level One offenders are offenders who are determined to be at a lower risk to the public. Law enforcement may notify other law enforcement agencies; any victims of, or witness to, the offense committed by the offender. Level Two offenders are determined to be at a moderate risk. In addition to Level 1 notifications, law enforcement may notify: Schools and daycares; establishments and organizations that primarily serve individuals likely to be victimized by the offender. Level Three offenders have been determined to be at the highest risk. In addition to Level 1 and Level 2 notifications, law enforcement may notify other members of the community whom the offender is likely to encounter. They may use the media and other distribution methods, including the Internet, to distribute information. According to law enforcement policy, enforcement officials hold public meetings in the areas where Level 3 offenders reside or work.

**Duration of Requirement:** 10 years or length of supervised release/ probation, whichever is longer. Lifetime for some, extensions added for infractions.

**Penalty for Non-compliance:** The first offense is a felony with a minimum year and a day in prison. Second offense is minimum 2 years in prison.

**Administrating Agency:** Minnesota Department of Public Safety; Bureau of Criminal Apprehension

## Mississippi

**Statute:** MISS. CODE ANN. 45-33-21 to 59

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any person residing in Mississippi, who has been convicted, acquitted by reason of insanity or adjudicated delinquent for any covered sex offense or attempted sex offense. Persons convicted in other states or jurisdictions for an offense that is registerable in MS must register upon relocating into MS. Also, any persons that are required to register in another state or jurisdiction are required to register with MDPS upon relocating into MS, even if the offense is not registrable in MS. Offenders that move out of the state of MS remain on the Registry even after the registrant moves to another jurisdiction and registers in the new jurisdiction as required by law. The law requires the Registry to note that the registrant moved out of state.

**Access to Information:** Information on registered offenders is available on the website: [www.sor.mdps.state.ms.us](http://www.sor.mdps.state.ms.us) (<http://www.sor.mdps.state.ms.us/>). Information is also maintained at local sheriff's offices and the MDPS. Information released includes: name, race, sex, date of birth, height, weight, eye and hair color, address, aliases, crime for which convicted, date and place of conviction, and a photograph. The MS statute also states that any other information deemed necessary for the protection of the public may be released.

**Duration of Requirement:** Lifetime Registration. Persons convicted of some registerable offenses can petition for relief from the duty to register after 25 years of maintaining their registration in MS. Registration in any other jurisdiction or state does not reduce the twenty-five year minimum requirement. Re-incarceration for any offense will restart the twenty-five year minimum registration period. The following offenses require lifetime registration: Rape, Rape and assault with intent to ravish, Sexual battery, Exploitation of children (as specified in MCA Sections 97-5-33 (iv)(1) or (2)) Carnal knowledge of a stepchild, adopted child or child of a cohabiting partner Kidnapping, if the victim is under the age of eighteen (18) Procuring sexual servitude of a minor Sexual abuse of a vulnerable adult Any conviction for violation of a similar law of another jurisdiction or designation as a Sexual predator in another jurisdiction. An offender who has two (2) separate convictions for any of the offenses described in MCA § 45-33-23 is subject to lifetime registration, with conditions placed upon any petition to be relieved from registration.

An offender, twenty-one (21) years of age or older, who is convicted of any sex offense where the victim was fourteen (14) years of age or younger, shall not be relieved from the duty to register. A first-time offender fourteen (14) years of age or older adjudicated delinquent in a youth court for the crime of rape or sexual battery is subject to lifetime registration and shall be eligible to petition to be relieved of the duty to register after twenty-five (25) years of registration. An offender who has two (2) separate convictions for any of the offenses that allow relief after the twenty-five (25) year period cannot petition for relief of the duty to register as long as at least one (1) of the convictions was entered on or after July 1, 1995.

**Penalty for Non-compliance:** The failure of an offender to provide any registration or other information including, but not limited to, initial registration, re-registration or change of address information is a violation of the law as is forgery of information or submission of information under false pretenses. Also failure to provide required notifications to volunteer groups and employers of status as a registered sex offender is a violation of the law. The violation is a felony and is punishable by a fine or imprisonment, or both. The offender's driving license or privilege in the State of MS is also suspended for failure to comply with the duty to report, register or reregister.

**Administrating Agency:** Mississippi Department of Public Safety (MDPS) and county sheriffs

## Missouri

**Statute:** MO. ANN. STAT. 589.400-426

**Relevant language for registration offenses:** Includes “federal court” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any person who has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, or attempting to commit, a felony offense of chapter 566, RSMo, including sexual trafficking of a child and sexual trafficking of a child under the age of twelve, or any offense of chapter 566, RSMo, where the victim is a minor; or any person who has been or is hereafter convicted of, been found guilty of, or pled guilty or nolo contendere to committing, or attempting to commit one or more of the following offenses: kidnapping when the victim was a child and the defendant was not a parent or guardian of the child; felonious restraint when the victim was a child and the defendant is not a parent or guardian of the child; sexual contact or sexual intercourse with a resident of a nursing home, under section 565.200, RSMo; endangering the welfare of a child under section 568.045, RSMo, when the endangerment is sexual in nature; genital mutilation of a female child, under section 568.065, RSMo; promoting prostitution in the first degree; promoting prostitution in the second degree; promoting prostitution in the third degree; sexual exploitation of a minor; promoting child pornography in the first degree; promoting child pornography in the second degree; possession of child pornography; furnishing pornographic material to minors; public display of explicit sexual material; coercing acceptance of obscene material; promoting obscenity in the first degree; promoting pornography for minors or obscenity in the second degree; incest; use of a child in a sexual performance; or promoting sexual performance by a child; and committed or attempted to commit the offense against a victim who is a minor, defined for the purposes of sections 589.400 to .425 as a person under eighteen years of age; or any person who, has been committed to the department of mental health as a criminal sexual psychopath; or any person who has been found not guilty as a result of mental disease or defect of any offense listed in subdivision (1) or (2) of this subsection; or any person who is a resident of this state who has, or is hereafter convicted of, been found guilty of, or pled guilty to or nolo contendere in any other state, foreign country, or under federal or military jurisdiction to committing, or attempting to commit, an offense which, if committed in this state, would be a violation of chapter 566, RSMo, or a felony violation of any offense listed in subdivision (2) of this subsection or has been or is required to register in another state or has been or is required to register under federal or military law; or

(6) Any person who has been or is required to register in another state or has been or is required to register under federal or military law and who works or attends school or training on a full-time or on a part-time basis or has a temporary residence in Missouri. "Part-time" in this subdivision means for more than fourteen days in any twelve-month period.

**Access to Information:** Procedures for Public Access: Upon request, a local law enforcement agency will provide a complete list of the sexual offenders registered within that agency's jurisdiction to any member of the public.

**Duration of Requirement:** Life. Persistent or predatory offenders, every 90 days; for offenders with victims under the age of 18, every 90 days. All sex offenders must register in the month of their birth and every 6 months thereafter.

**Penalty for Non-compliance:** Failing to register as a sex offender is a class A misdemeanor unless the person is required to register based on having committed an offense in chapter 566, RSMo, which was an unclassified felony, a class A or B felony, or a felony involving a child under the age of fourteen, in which case it is a class D felony. Failing to register as a sex offender as a second offense is a class D felony unless the person is required to register based on having committed an offense in chapter 566, RSMo, which was an unclassified felony, a class A or B felony, or a felony involving a child under the age of fourteen, in which case it is a class C felony. Failing to register as a sex offender as a third offense is a felony which shall be punished by a term of imprisonment of not less than ten years and not more than thirty years. Upon release, an offender who has committed failing to register as a sex offender as a third offense shall be electronically monitored as a mandatory condition of supervision. Electronic monitoring may be based on a global positioning system or any other technology, which identifies and records the offender's location at all times.

**Administrating Agency:** State Highway Patrol, local law enforcement.

## Montana

**Statute:** MONT. CODE ANN. 46-23-502

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Adult sex offenders, juvenile sex offenders court-ordered, juveniles convicted as an adult, 5/11/07 juveniles convicted of a qualifying sexual offense in MT. Montana also registers violent (non-sexual) offenders, which include offenders with convictions for offenses such as Homicide, Assault, Domestic Abuse, Robbery, and Arson.

**Access to Information:** Community notification is conducted by local law enforcement agencies. It is discretionary for all sex offenders. The names and addresses for all registrants are public information.

**Duration of Requirement:** Life for sex offenders, 10 years for violent offenders.

**Penalty for Non-compliance:** Possible 5 years prison term and/or up to \$10,000 fine.

**Administrating Agency:** State Department of Justice.

## Nebraska

**Statute:** NEB. REV. STAT. 29-4001 to 4014

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** A person is required to register who, as of January 1, 1997: Pleads guilty to or is found guilty of any crime(s) requiring registration; Is on probation or parole or incarcerated for any of the crimes requiring registration; Is released from incarceration, parole, probation for any of the crimes requiring registration; Moves into the state of Nebraska having pleaded guilty or been found guilty of any offense that is substantially equivalent to the crimes requiring registration in Nebraska.

**Access to Information:** If the risk level is low/level 1, law enforcement agencies likely to encounter the sex offender shall be notified. If the risk level is moderate/level 2, in addition to the notifying local law enforcement, schools, daycare centers, and religious and youth organizations shall be notified who are in the registrant’s county of residence. If the risk level is high/level 3, in addition to notifying local law enforcement, schools, daycare centers, and religious and youth organizations, the public will be notified through news releases directed to the media within the state. Additional news releases, community meetings or direct contact with neighbors may be utilized by the local law enforcement to provide notice in addition to the State Patrol news release.

**Duration of Requirement:** Sex offenders are required to be registered for a period of ten (10) years or lifetime, depending on the offense.

**Penalty for Non-compliance:** Class IV Felony if the original crime was a felony. Misdemeanor of the same class as the sex offense requiring registration, if misdemeanor original crime.

**Administrating Agency:** Nebraska State Patrol is the administering agency

## Nevada

**Statute:** NEV. REV. STAT. ANN. 179D.010-850

**Relevant language for registration offenses:** Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** All adult offenders and certain juvenile offenders convicted of certain sex offenses and crimes against children after 1956 and released on parole or probation are subject to risk assessment and notification dependent upon assigned level of risk.

**Access to Information:** Tier 1 (low risk) offenders: Local law enforcement agencies shall share information with other appropriate law enforcement agencies. Tier 2 (moderate risk) offenders: School districts, private educational institutions, camps, day care centers, foster care centers or homes, and those religious or other community organizations that care for or otherwise provide services to and programs for women and children, shall receive notification once the local law enforcement agency, using its judgment, discretion, training, and experience, has determined that such organization is reasonably likely to encounter the offender. Any group, agency, or organization, which provides services to women and children, should be encouraged to register with law enforcement to receive notification. Tier 3 (high risk) offenders: the law enforcement agency where the offender resides notifies not only other law enforcement agencies, schools, and youth organizations, but also the general public "through means designed to reach members of the public likely to encounter the sex offender."

**Duration of Requirement:** Life; offender may apply to district court for order relieving him of duty to register after 10 consecutive years.

**Penalty for Non-compliance:** Category D felony.

**Administrating Agency:** Department of Public Safety/Local law enforcement.

## New Hampshire

**Statute:** N.H. REV. STAT. ANN. 651-B:1-12

**Relevant language for registration offenses:** Includes “United States” or “Federal Government” language.

### **Offenders required to register:**

- I. Every sexual offender or offender against children shall be registered with the department of safety, division of state police, as provided in this chapter.
- II. Upon receipt of information pursuant to RSA 106-B:14 concerning the disposition of any charges against any sex offender or offender against children, the division shall register such person and shall include the relevant information in the SOR system.
- III. Upon receipt from any out-of-state law enforcement agency of information that a sex offender or offender against children has moved to New Hampshire, the division shall register such person and shall include the relevant information in the SOR system.

The information that a person is required to register on the public list as a sexual offender or offender against children, including his or her qualifying offense or offenses, shall be available to law enforcement through the offender's criminal record and motor vehicle record. If an offender's obligation to register terminates for any reason, the department shall notify the division of motor vehicles of the change and the offender's motor vehicle record shall no longer reflect that the person is required to register as a sexual offender or offender against children.

**Access to Information:** A record is maintained of all tier I, tier II, and tier III offenders required to register pursuant to this chapter. A public list shall be made available to interested members of the public upon request to a local law enforcement agency. The department of safety shall also make the list available to the public through the use of the department's official public Internet website. The Internet website shall be available to the public in a manner that will permit the public to obtain relevant information for each sex offender by a single query for any given zip code or geographic radius set by the user. The website may include additional search parameters as determined by the department. Local law enforcement agencies may photograph, at the time of the registration, any individual who is required to be registered pursuant to this chapter. The consent of the registrant shall not be necessary. Such photographs may be used in the performance of any valid law enforcement function.

**Duration of Requirement:** All tier II or tier III offenders shall be registered for life. All tier I offenders shall be registered for a 10-year period from the date of release, provided that any such registration period shall not run concurrently with any registration period resulting from a subsequent violation or attempted violation of an offense for which the person is required to register. Offenders may petition the superior court to have his or her name and information removed from the public list. The earliest date of available petition depends on the tier and offense.

**Penalty for Non-compliance:**

I. A sexual offender or offender against children who is required to register under this chapter and who negligently fails to comply with the requirements of this chapter shall be guilty of a misdemeanor.

II. A sexual offender or offender against children who is required to register under this chapter and who knowingly fails to comply with the requirements of this chapter shall be guilty of a class B felony.

III. A sexual offender or offender against children previously convicted pursuant to paragraph II who is required to register under this chapter and who knowingly fails to comply with the requirements of this chapter shall be guilty of a class A felony.

IV. The penalties imposed under paragraphs I-III shall not apply to juveniles required to register pursuant to RSA 651-B:1, XI(a)(3) or (4). The court with jurisdiction over such juveniles may impose an appropriate disposition for a violation of this section.

**Administrating Agency:** State Department of Safety, local law enforcement.

## New Jersey

**Statute:** N.J. STAT. ANN. 2C:7-1

**Relevant language for registration offenses:** Statute includes “United States” or “Federal Government” language.

**Offenders required to register:** Sex offenders who have been released from custody since Megan's Law went into effect on October 31, 1994, are required to register with the police. In addition, offenders who were on parole or probation on the effective date of the law, as well as offenders who have been found to be repetitive and compulsive by experts and the courts - regardless of the date of sentence - are required to register. Offenses include: aggravated sexual assault; sexual assault; aggravated criminal sexual contact; endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child; luring or enticing and, if the victim were a minor and the offender not a parent, kidnapping; criminal restraint and false imprisonment and promoting prostitution of a child under 18.

**Access to Information:** The state Departments of Corrections and Human Services are responsible for informing county prosecutors about the anticipated release of sex offenders. In turn, the prosecutors must determine risk to the community - the likelihood that the offender will commit another crime. Hearings are provided to those offenders who challenge the prosecutor's risk determination or the proposed scope of notification. Notification can proceed when the court issues a final order authorizing the county prosecutor to provide relevant information to the appropriate groups of individuals. Sex offenders who reside in the community are classified by prosecutors in one of three "tiers" based on the degree of risk they pose to the public. The sex offender Internet registry includes information pertaining to sex offenders determined to pose a relatively high risk of re-offense (tier 3 offenders) and, with certain exceptions, information about sex offenders found to pose a moderate risk of re-offense (tier 2 offenders). The Internet registry excludes any information about offenders determined to present a low risk of re-offense (tier 1 offenders). However, law enforcement agencies are notified of the presence of all sex offenders.

**Duration of Requirement:** Life, however certain offenders may apply to State Superior Court to terminate obligation to register if no offense committed within 15 years following conviction or release.

**Penalty for Non-compliance:** Crime of the third degree.

**Administrating Agency:** Superintendent of State Police, Department of Corrections, Administrative Office of the Courts, Department of Human Services, Division of Motor Vehicles of the Department of Law and Public Safety, Attorney General, local law enforcement, Division of State Police.

## New Mexico

**Statute:** N.M. STAT. ANN. 22-11A-1 to 10

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** All sex offenders, convicted on or after July 1, 1995 AND all sex offenders convicted prior to July 1, 1995 who on that date were incarcerated, on probation or parole.

**Access to Information:** Within 7 days of receiving registration information, County Sheriff shall inform every licensed daycare center, elementary school, middle school and high school within a one-mile radius of place of residence. The public can also obtain sex offender registration information by reviewing the SORNA website or by contacting County Sheriff.

**Duration of Requirement:** 10 to 20 years or lifetime, depending upon charges.

**Penalty for Non-compliance:** 4th degree felony. One year prison sentence for non-compliance. 3<sup>rd</sup> degree felony for subsequent offense.

**Administrating Agency:** Department of Public Safety, County Sheriff.

## New York

**Statute:** N.Y. CORRECT. LAW 168

**Relevant language for registration offenses:** Includes “another jurisdiction” or “any court” language.

**Offenders required to register:** The Sex Offender Registration Act (SORA) requires anyone on parole or probation or imprisoned for a sex offense on January 21, 1996, to register with the Division of Criminal Justice Services. In addition, sex offenders sentenced to probation, local jail, or state prison after that date must register upon their return to the community. The law is amended periodically by the New York State Legislature to add additional registerable offenses. Also, an updated list of registerable offenses can be found on the Division of Criminal Justice Services website at <http://criminaljustice.state.ny.us/nsor/sortab1.htm>.

Offenders convicted in other jurisdictions (e.g., federal , military, or another state or country) must register if they are convicted of an offense which includes the essential elements of a New York State offense which requires registration; or they are convicted of a felony in another jurisdiction which requires registration as a sex offender in that jurisdiction; or they are convicted of 18 U.S.C.A. §§ 2251 (sexual exploitation of children); § 2251A (selling or buying of children); § 2252 (certain materials related to the sexual exploitation of children); § 2252A (certain activities relating to or containing child pornography) or § 2260 (production of sexually explicit depictions of minors for importation into the United States); § 2422(b) (coercion and enticement); § 2423 (transportation of minors) or § 2425 (use of interstate facilities to transmit information). Offenders convicted in other jurisdictions that reside in New York State are required to notify the Division of Criminal Justice Services (Division) within 10 days of establishing residence in New York and the Division shall notify the Board of Examiners of Sex Offenders which will determine whether registration is required.

**Access to Information:** There are three ways for the public to access information regarding registered sex offenders: The Division of Criminal Justice Services (Division) operates a telephone number (1-800-262-3257) which the public can call to determine if someone is on the Registry. The name of the offender and one of the following must be provided in order to obtain information: an exact address, a complete date of birth, a driver’s license number or a social security number. Additionally, the Division maintains a subdirectory of Level 2 & 3 sex offenders which can be accessed by visiting the Division website at [www.criminaljustice.state.ny.us](http://www.criminaljustice.state.ny.us) and clicking on the “Search for Level 2 & 3 Sex Offenders” button. Level 2 & 3 sex offender information can be searched by offenders name, county or zip code. The local law enforcement agency where the offender currently resides can, if it chooses, release information on sex offenders residing in the community to “entities with vulnerable populations related to the nature of the offense”. The law enforcement agency can only release information on levels 1, 2 and level 3 offenders through this method. Also, while the exact address of level 3 offenders can be provided, the law provides that only an approximate address based on zip code can be provided for level 1& 2 offenders.

**Duration of Requirement:** Sex offenders who have been designated a sexual predator, a sexually violent offender or a predicate sex offender or who are classified as a Level 2 or Level 3 risk remain on the Sex Offender Registry for life. Level 1 sex offenders with no designation must register for a period of twenty years.

**Penalty for Non-compliance:** The failure to register is a crime. A first conviction is punishable as a class E felony; a subsequent conviction is punishable as a class D felony. Non-compliance may be basis for revocation of parole and probation.

**Administrating Agency:** New York State Division of Criminal Justice Services.

## North Carolina

**Statute:** N.C. GEN. STAT. ANN. 14-208.5-45

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language. A final conviction in a federal jurisdiction for an offense which is substantially similar to an “offense against a minor,” or a “sexually violent offense” is a reportable conviction. Includes conspiracy or solicitation to commit any of these offenses and aiding and abetting any of these offenses.

**Offenders required to register:** Four groups of persons are required to register on the registry:

**A.** Residents who have a “reportable conviction.” This applies to both current residents and new residents who move into the state; (N.C.G.S. § 14-208.7(a))

**B.** Persons who have a “reportable conviction” and move to North Carolina from outside the State and are present in the State for 15 days; (N.C.G.S. § 14-208.7(a))

**C.** Nonresident students who have a “reportable conviction” or are required to register in their state of residency; and (N.C.G.S. § 14-208.7(a1))

**D.** Nonresident workers who have a “reportable conviction” or are required to register in their state of residency. (N.C.G.S. § 14-208.7(a2))

**Access to Information:** Available to the public as a public record.

**Duration of Requirement:** Normally 30 years, or lifetime for aggravated offenses. After 10 years, an offender can petition to have the duration of registry reduced.

**Penalty for Non-compliance:** Class F felony.

**Administrating Agency:** Only North Carolina’s sheriffs have statutory authority to manage registered offenders, which includes but not limited to: initial registration, address verification, compliance with applicable state laws and court provisions, and submission of biographical information (such as photographs) to the SBI to post and appear on the public registry website.

## North Dakota

**Statute:** N.D. CEN. CODE 12.1-32-15

**Relevant language for registration offenses:** Includes “United States” or “Federal Government” language.

**Offenders required to register:** Sex Offenders: Individuals who have pled guilty or been found guilty of the following offenses: gross sexual imposition; continuous sexual abuse of a child; sexual imposition; corruption or solicitation of minors; luring minors by computer; sexual abuse of wards; sexual assault; incest; indecent exposure; surreptitious intrusion; sexual performance by children (all offenses). Offender against Children: homicide offenses (all); assault (felony only); aggravated assault; terrorizing; stalking (felony only); kidnapping; felonious restraint; removal of child from state in violation of custody decree; prostitution (all offenses); and criminal child abuse.

**Access to Information:** Information on all registered offenders is available to the public from the Office of Attorney General via a printable list on the state's offender registration website. Registration and conviction information on high risk sex offenders and lifetime registrants is available on the Attorney General’s website at [www.ndsexoffender.com](http://www.ndsexoffender.com). Relevant and necessary conviction and registration information must be disclosed to the public by a law enforcement agency if the individual is moderate or high risk and the agency determines that disclosure of the information is necessary for public protection. Upon request, law enforcement agencies may release conviction and registration information regarding low-risk, moderate-risk, or high-risk offenders.

### **Duration of Requirement:**

Offenders Against Children: 15 years after the date of conviction or release from incarceration, whichever is later.

Sex Offenders: Registration length is determined by the risk level assigned. Low risk – 15 years after the date of conviction or release from incarceration, whichever is later. Moderate risk – 25 years after the date of conviction or release from incarceration, whichever is later. High risk - lifetime.

For the life of the individual, if that individual:

(1) On two or more occasions has pled guilty or nolo contendere to, or been found guilty of a crime against a child or as a sexual offender, or an equivalent offense of another state or the federal government. If all qualifying offenses are misdemeanors, this lifetime provision does not apply unless a qualifying offense was committed after August 1, 1999;

(2) Pleads guilty or nolo contendere to, or is found guilty of, an offense committed after August 1, 1999, which is described in subdivision a of subsection 1 of section 12.1-20-03, section 12.1-

20-03.1, or subdivision d of subsection 1 of section 12.1-20-03 if the person is an adult and the victim is under age twelve, or section 12.1-18-01 if that individual is an adult other than a parent of the victim, or an equivalent offense of another state or the federal government; or

(3) Has been civilly committed as a sexually dangerous individual under chapter 25-03.3, under the laws of another state, or by the federal government.

(4) Has been assigned a high risk level by the State Risk Level Committee.

**Penalty for Non-compliance:** All offenses, Class C felony

**Administrating Agency:** State Bureau of Criminal Investigation, local law enforcement, State Department of Correction and Rehabilitation.

## Ohio

**Statute:** OHIO REV. CODE ANN. 2950-01-99

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Sexual predators: a person who is convicted of a sexually violent offense and is found by the sentencing court to be a sexual predator. Habitual sex offenders: a person previously convicted of one or more sexually oriented offenses and sentencing judge determines community notification is necessary for that individual. The act applies to anyone released after January 1, 1997 regardless of when the individual was sentenced. Ohio has adopted the AWA Legislation. Offenders have been placed into a Tier category. Tier 1 (the old Sexually Oriented Offender), Tier 2 (the old Habitual Sexual Offender), and Tier 3 (the old Sexual Predator). The AWA designations took effect Jan. 1, 2008.

**Access to Information:** Written notice of a 'Tier 2 Sex Offender w/Notification' or a 'Tier 3 Sex Offender w/Notification' is provided to the following persons within the specified geographic notification area (defined in administrative rule as the entire school district in which an offender resides): local law enforcement, all occupants of residences within 1000' of the offender's place of residence; the executive director of the public children services agency; the superintendent of each board of education of a school district; the appointing or hiring officer of each nonpublic school; the director, head teacher, or elementary principal of each preschool program; the administrator of each child day care center; and, the president or other chief administrative officer of each institution of higher education.

**Duration of Requirement:** Sexual offenders: annually for 10 years. Sexual predators: every 90 days for life. Habitual offenders: annually for 20 years. Tier 1 Sex Offender: annually for 15 years; Tier 2 Sex Offender: every 180 days for 25 years; Tier 3 Sex Offender: every 90 days for 99 years.

**Penalty for Non-compliance:** If convicted of a misdemeanor, the charge for failure to register is a misdemeanor. If convicted of a felony, the charge for failure to register is a felony.

**Administrating Agency:** State Bureau of Criminal Investigations, local Sheriff Offices.

## Oklahoma

**Statute:** OKLA. STAT. ANN., TITLE 57, 581-90

**Relevant language for registration offenses:** Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** The provisions of the Sex Offenders Registration Act apply to any person residing, working, or attending school within the State of Oklahoma who has been convicted or received any probationary term for the commission or attempt to commit certain sex crimes\* in the state after November 1, 1989, or who entered the state on or after November 1, 1989, having previously been convicted or received a suspended or deferred sentence for a crime or attempted crime which if committed or attempted in this state would be a crime as provided in the following section. A probationary term rendered by an Oklahoma court includes deferred sentences. Sentences rendered outside the Oklahoma judicial system include those from any court of another state, a federal court, an Indian tribal court *or a military court*. New Law as of Nov 01, 2008: Registered sex offenders cannot reside within a 2000 ft of a public or private school site, educational institution, playground, park that is established in whole or in part by city, county, state, federal, or tribal government, or licensed child care center as defined by DHS.

\* Abuse or Neglect of Child/Child Beating (when sexual abuse or sexual exploitation is involved); Assault With Intent to Commit a Felony (if the offense involved sexual assault); Kidnapping (if sexual abuse or sexual exploitation is involved); Caretaker Abuse or Neglect (when sexual abuse or sexual exploitation is involved); Trafficking in Children; Incest; Crime Against Nature/Sodomy; Forcible Sodomy; Child Stealing (if sexual abuse or sexual exploitation is involved); Indecent Exposure/Indecent Exhibitions/Obscene or Indecent Writings, Pictures, etc./Solicitation of Minors to Participate in any crime under this section; To Procure or Cause Minors to Participate in Obscene or Indecent Writings, Pictures, etc.; Guardians--Parents--Custodians Consent to Participation of Minor in Obscene Writings, pictures; , Solicitation sexual contact or communication with minor by use of technology; Unlawful Sale, Purchase, or Trafficking of Obscene Movies, Photographs, Pictures, Drawings, Video Games, Etc.; Procuring a Child Under 18 Years of Age for Prostitution, Lewdness, or Other Indecent Acts; Inducing, Keeping, Detaining, or Restraining for Prostitution a Child Under 18 Years of Age; Rape in the First Degree/Rape in the Second Degree/Rape by Instrumentation; Lewd or Indecent Proposals or Acts to a Child Under 16/Sexual Battery to a Person Over 16.

**Access to Information:** The sex offender list is available to the public without restriction.

**Duration of Requirement:** Level 1 offender register annually for 15 years; Level 2 offenders register semi-annually for 25 years and Level 3 offenders register every 90 days for lifetime.

**Penalty for Non-compliance:** Felony punishable by up to 5 years in prison and/or a \$5,000 fine.

**Administrating Agency:** State Department of Corrections, local law enforcement.

## Oregon

**Statute:** OR. REV. STAT. 181.592-606

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language.

**Offenders required to register:** Any adult convicted of a sexual crime and any juvenile adjudicated in juvenile court for a sexual crime. Different crimes and circumstances require registration based on when they were adopted into Oregon law.

**Access to Information:** Community members can contact local law enforcement agencies and request information on registered offenders either individually or lists of offenders by geographic area. For individuals designated as sexual predators notifications have included television and radio announcements, community meetings, newspaper articles, door-to-door flyers, posting of the offender's residence and listing on the Oregon Predatory Sex Offender Public website at <http://sexoffenders.oregon.gov>. Method dependent upon geographic location and population density. Notice may include: name, address, physical description, type of vehicle driven, any conditions of probation, parole or conditions of release, description of primary and secondary targets and method of offense, current photograph, and probation or parole officer's name or phone number.

**Duration of Requirement:** Life; may petition for waiver after 10 years if they have been convicted of one C Felony or less; juvenile adjudications only no sooner than two years after release from probation or two years of registering in Oregon if moved into the state.

**Penalty for Non-compliance:** Class C felony if they fail initial registration. Failure to annually register is an A misdemeanor. Failure to register change of address is an misdemeanor or C felony depending on conviction.

**Administrating Agency:** Oregon State Police.

## Pennsylvania

**Statute:** 42 PA. CONS. STAT. ANN. 9791-99.9

**Relevant language for registration offenses:** Statute includes “United States” or “Federal Government” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** An individual convicted of a sexually violent offense or of attempt to commit a sexually violent offense. These are: Rape; Aggravated Indecent Assault; Involuntary Deviate Sexual Intercourse; Sexual Assault; Kidnapping (victim is a minor); Indecent Assault (a) 2- (a) 7 where the offense is graded as a Misdemeanor of the first degree or higher; Incest; Promotion of Prostitution (victim is a minor); Obscene and other Sexual Materials; Unlawful Contact or Communication with Minor and Sexual Exploitation of Children, Luring a Child into a Motor Vehicle or Structure, Institutional Sexual Assault, Sexual Abuse of Children, and Criminal Attempt or Criminal Solicitation or Criminal Conspiracy to commit any of the listed offenses. An individual convicted of an equivalent offense where the conviction occurred in another state, territory, federal court, the District of Columbia or where the individual was sentenced by court martial, or where the individual was required to register under a sexual offender statute in the jurisdiction where they were convicted, and the individual: resides in Pennsylvania; or is employed or is a student in Pennsylvania. Juveniles are not required to register unless they are convicted in adult court or they are required to register as a sex offender in another jurisdiction.

**Access to Information:** Members of the public may search for registered Sex Offenders or Sexually Violent Predators living, working or attending school in their community through this web site maintained by the Pennsylvania State Police, Megan's Law Section. Members of the public are only entitled to the information about registered persons provided on the website. No other information can be provided to the public. Additional information on a Sexually Violent Predators residing in your community may be obtained by contacting the chief law enforcement officer in your community. In communities where the Pennsylvania State Police is the primary law enforcement agency, members of the public may contact the local Pennsylvania State Police station for community notification flyers.

**Duration of Requirement:** 10-Year Registration for offenders convicted of the following offenses: Kidnapping, where the victim is a minor; Luring a Child into a Motor Vehicle or Structure; Institutional Sexual Assault; Indecent Assault where the offense is graded as a Misdemeanor of the first degree or higher; Incest, where the victim is 12 years of age or older but under 18 years of age; Prostitution and related offenses, where the actor promotes the prostitution of a minor; Obscene and other sexual materials and performances, where the victim is a minor; Sexual abuse of children; Unlawful contact with minor; Sexual Exploitation of Children; Offenders convicted of Criminal Conspiracy, Criminal Solicitation or Criminal Attempt to commit any of the offenses under 10-year registration or lifetime registration; Offenders convicted in jurisdictions outside the Commonwealth of an equivalent offense listed under the 10-year registration where the conviction occurred in another state, territory, Federal court, the District of Columbia, or where the offender was sentenced by court martial, or where the offender was required to register under a sexual offender statute in the jurisdiction where the

offender was convicted, and the offender: Resides in the Commonwealth; or is employed in the Commonwealth; or is a student in the Commonwealth. Lifetime Registration for offenders convicted of the following offenses: Offenders with two or more convictions of any of the offenses set forth under the 10-year registration; Rape; Involuntary Deviate Sexual Intercourse; Sexual Assault; Aggravated Indecent Assault; Incest, where the victim is under 12 years of age; Offenders designated by the court as Sexually Violent Predators; Offenders being released from a state or county correctional facility for any of the offenses under lifetime registration; Offenders convicted in jurisdictions outside the Commonwealth of an equivalent offense listed under lifetime registration where the conviction occurred in another state, territory, Federal court, the District of Columbia, or where the offender was sentenced by court martial, or where the offender was required to register under a sexual offender statute in the jurisdiction where the offender was convicted, and the offender: Resides in the Commonwealth; or is employed in the Commonwealth; or is a student in the Commonwealth.

**Penalty for Non-compliance:** Sexual Offenders subject to the ten-year registration period who fail to comply with Megan's Law commit an offense graded as a felony. Sexually Violent Predators and Sexual Offenders subject to registration for their lifetime who fail to comply with Megan's Law commit an offense graded as a felony. The grading of the felony offense ranges from a felony of the third degree to a felony of the first degree based upon subsequent convictions, registration classification (i.e.: 10 year registrant, Lifetime Registrant, or Sexually Violent Predator) and the offender's criminal history record.

**Administrating Agency:** The Pennsylvania State Police, Megan's Law Section.

## Rhode Island

**Statute:** R. I. GEN. LAWS 11-37.1-1 to 20

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language.

**Offenders required to register:** Any person who, either in Rhode Island or elsewhere, has been: convicted of a criminal offense against a victim who is a minor or a sexually violent offense; has been determined to be a sexually violent predator; has committed an aggravated offense; or is a recidivist, is required to register.

**Access to Information:** If the risk of re-offense is high, law-enforcement agencies, organizations in the community including schools and religious and youth organizations, and the members of the public likely to encounter the registered offender are notified. If risk of re-offense is moderate, law-enforcement agencies and organizations in the community including schools and religious and youth organizations likely to encounter the registered offender are notified, provided the notice is given only to those schools or organizations that are actually in charge of or in control of women or children and that are likely to encounter the person registered. If risk of re-offense is low, law-enforcement agencies likely to encounter the registered offender are notified.

**Duration of Requirement:** An offender who is required to register must do so for 10 years following his or her date of release from incarceration, parole, supervised release, or probation. A sexually violent predator must register for his or her lifetime following the date of his release from prison, placement on parole, supervised release, or probation. An offender who has one or more prior convictions for the following offenses or who is convicted of an aggravated offense must register for his or her lifetime following the date of his release from confinement, placement on parole, supervised release, or probation: kidnapping or false imprisonment of a minor, if the victim of the offense is 16 or older but under 18; third-degree sexual assault; assault with the intent to commit first-degree sexual assault; first- or second-degree child molestation sexual assault; exploitation for commercial or immoral purposes; murder, if the offense was committed in the perpetration or attempted perpetration of kidnapping and if the victim of the kidnapping is under 18; first- or second-degree sexual assault; assault with the intent to commit sexual assault; murder committed in perpetration or attempted perpetration of rape, sexual assault, or child molestation; or any offense in another jurisdiction that is substantially the equivalent of any offense listed above or for which the offender is or would be required to register under federal law. A juvenile who is required to register and who is a sexually violent predator, who has one or more prior convictions for an offense requiring registration, or who has been convicted of an aggravated offense must register for 15 years following the date of release from confinement, placement in the community, or probation.

**Penalty for Non-compliance:** An offender who is required to register or verify his or her address and who knowingly fails to do so is guilty of a felony and upon conviction he or she will be imprisoned no more than 10 years, fined no more than \$10,000, or both imprisoned and fined. An offender who is required to register or verify his or her address and who knowingly

fails to do so is in violation of the terms of his or her release, regardless of whether or not the term was a special condition of his or her release on probation, parole, home confinement, or other form of supervised release.

**Adminstrating Agency:** Department of Attorney General: Bureau of Criminal Investigation.

## South Carolina

**Statute:** S.C. CODE ANN. 23-3-400 to 550

**Relevant language for registration offenses:** Includes “United States” or “Federal Government” language.

**Offenders required to register:** Adults and juveniles convicted of certain sex and other offenses.

**Access to Information:** The Sex Offender Registry information is open to public inspection via the South Carolina Law Enforcement Division, [www.sled.sc.gov](http://www.sled.sc.gov). Requests for additional information must be made in writing and include the name of the requestor and the name or address of the person about whom information is sought.

**Duration of Requirement:** Life

**Penalty for Non-compliance:** First offense: misdemeanor, with mandatory 90 days sentence. Second offense: misdemeanor, with mandatory 1-year sentence. Third offense: felony, with 1-5 year sentence, 3 years mandatory without probation or suspension.

**Administrating Agency:** South Carolina Law Enforcement Division, Department of Corrections, Department of Probation and Parole; Department of Juvenile Justice, 46 county sheriffs, Department of Motor Vehicles and Federal agencies.

## South Dakota

**Statute:** S.D. CODIFIED LAWS 22-24B-1 TO 30

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any person who has been convicted for commission of a sex crime shall register as a sex offender. The term convicted, includes a verdict or plea of guilty, a plea of nolo-contendere, and a suspended imposition of sentence which has not been discharged. Any juvenile fifteen years or older shall register as a sex offender if that juvenile has been adjudicated of a sex crime, that being any degree of Rape, Sexual Contact with a person incapable of consenting or Promotion of prostitution of a minor, or of an out-of-state or federal offense that is comparable to the elements of these three sex crimes or any crime committed in another state if that state also requires a juvenile adjudicated of that crime to register as a sex offender in that state. The sex offender shall register within five days of coming into any county to reside, temporarily domicile, attend school, attend postsecondary education classes, or work.

**Access to Information:** The Division of Criminal Investigation (DCI) sexual offender registration file is available to all law enforcement agencies on a twenty-four hour basis. Public internet access located at <http://sor.sd.gov> .

**Duration of Requirement:** Lifetime. (Some exceptions)

**Penalty for Non-compliance:** Any registration violation - Class 6 Felony

**Administrating Agency:** Division of Criminal Investigations (DCI), local law enforcement.

## Tennessee

**Statute:** TENN. CODE ANN. 40-39-201 to 306

**Relevant language for registration offenses:** Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any person convicted of the sex offenses listed in Tennessee Code Annotated, §40-39-202(20) and (28). Further, any person convicted in another jurisdiction of an offense that can be classified as one of the offenses listed above. Any person required to register in another state, upon establishing sufficient presence in Tennessee, must register in Tennessee, unless the sexual offense disposition occurred in juvenile court. A copy of this law is posted on the public website <http://www.tbi.state.tn.us>.

**Access to Information:** All offenders are shown on the internet, pursuant to Tennessee law.

**Duration of Requirement:** Offenders classified as “sexual offenders” may apply for termination from the Registry ten years after expiration of their sentences, provided they have been on the registry a minimum of five years. Offenders classified as “violent offenders” must remain on the registry for life. See Tennessee Code Annotated, §40-39-202(20) and (28). A copy of this law is posted on the public website <http://www.tbi.state.tn.us>.

**Penalty for Non-compliance:** Violation of the Registry law is a Class E felony with mandatory jail time.

**Administrating Agency:** The Tennessee Bureau of Investigation is the central repository for the records of the Sex Offender Registry.

## Texas

**Statute:** TEX. CODE CRIM. PROC. ANN., Art 62.001-408

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Adult and juvenile sex offenders convicted or adjudicated on or after September 1, 1970.

**Access to Information:** Registry data is public information (including offender photograph), but Social Security Number, phone numbers, driver's license number, online identifiers and information which would identify the victim are not released. Postcard notification to community on offenders who are civilly committed or who are assessed as High Risk with a conviction/adjudication date that is on or after January 1, 2000. Citizens may contact their local law enforcement agency or visit the Texas Department of Public Safety’s online registry for a listing of reported registrants.

**Duration of Requirement:** Most offenses require lifetime registration. Offenses that do not require lifetime registration register until the 10th anniversary of the date of discharge from supervision. Juveniles register for the post-10 years.

**Penalty for Non-compliance:** If requirement is based on a 10-year registration requirement - State jail felony. If requirement is based on lifetime registration/annual verification requirement - third degree felony. If requirement is based on lifetime registration/90-day verification – second degree felony. If civilly committed - second degree felony. Penalty is enhanced one level if offender has previously been convicted of non-compliance.

**Administrating Agency:** Texas Department of Public Safety (Repository), local law enforcement authorities.

## Utah

**Statute:** UTAH CODE ANN. 77-27-21.5

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language.

**Offenders required to register:** Adult sex and kidnapping offenders. Juveniles who were/are in the custody of Juvenile Justice Services 30 days prior to their 21st Birthday.

**Access to Information:** Via the Internet; If Internet access is not available, the public may contact the Sex Offender Registration Program and petition to receive the information via U.S. Mail.

**Durition of Requirement:** The duration of sentence and for 10 years following termination or expiration of that sentence, or for life. This depends on what the original registerable conviction was for. Individuals who have a registration requirement in another state (or former state of residence) and who move to Utah, will be required to register with the State of Utah for the length of time required in the previous state or under Utah guidelines, whichever is longer. Individuals who are a Non-Resident students, Non-Resident workers or Non-Resident volunteers and who are in the State of Utah for any purpose, must register upon the 10th day, and will be required to register with the State of Utah for the length of time required in the previous state or under Utah guidelines, whichever is longer. Repeat offenders are required to register for life. Individuals who have had to register as a juvenile and who commit a subsequent offense as an adult are subject to lifetime registration (repeat offender). 12 of 18 offenses require lifetime registration; including any conviction for an equitable offense from any other state or the US Government.

**Penalty for Non-compliance:** Class A Misdemeanor - mandatory 90 days confinement and 1-year probation. Penalties increase to: 3rd Degree Felony for Felony Registrants or those registrants subject to lifetime registration; Class A Misdemeanor for Misdemeanant Registrants. Each instance/item that failed to be reported/registered may be prosecuted separately.

**Administrating Agency:** Utah State Department of Corrections.

## Vermont

**Statute:** VT. STAT. ANN., TITLE13, 5401-14

**Relevant language for registration offenses:** Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** The Sex Offender Registry Law applies to persons convicted of the following crimes if the person was:

- convicted in Vermont on or after July 1, 1996
- convicted in Vermont or another state PRIOR to July 1, 1996, confined under the custody of the Commissioner of Corrections, and released from in Vermont on or after July 1, 1996
- convicted in Vermont or another state PRIOR to July 1, 1996, and was being supervised in the community in Vermont by the Commissioner of Corrections on July 1, 1996
- convicted or released from confinement in another state on or after July 1, 1986 and who established residence in this state on or after July 1, 1996. An individual is considered to have established a residence in Vermont if they remain in the state for more than 10 consecutive days

A non-resident sex offender who moves to Vermont for full or part time employment or to attend school or college on a full or part-time basis must also register.

The crimes for which offenders must register include:

- Sexual assault
- Aggravated sexual assault
- Lewd and lascivious conduct
- Sexual activity by a caregiver

In addition, the Sex Offender Registry Law applies to persons convicted of any of the following offenses against a victim who is a minor:

- Any offense listed above
- Kidnapping
- Lewd and lascivious conduct with a child
- Sexual exploitation of children
- Procurement or solicitation for prostitution

Conduct which is criminal only because of the age of the victim shall not be considered an offense for purposes of the registry if the perpetrator is under the age of 18.

**Access to Information:** Not all information in the registry is available to the public. The public may contact local law enforcement, the registry or search online. Specific information is available to law enforcement only.

**Duration of Requirement:** Offenders must comply with the above requirements for 10 years from the date they are discharged from the supervision of the Vermont Department of Corrections. If they have been designated a Sexually Violent Predator by the court, they must comply with the above requirements until the court orders termination of the designation.

**Penalty for Non-compliance:** Failure to comply with any of the requirements indicated above is grounds for a warrant to be issued for the registrant's arrest. If a registrant is convicted of failing to comply with the law they could be imprisoned for not more than two years and/or fined not more than \$1,000. A second or subsequent offense could result in a sentence to imprisonment of no more than three years and/or a fine of not more than \$5,000.

**Administrating Agency:** State Department of Public Safety, Department of Corrections.

## Virginia

**Statute:** VA. CODE ANN. 9.1-900 to 922

**Relevant language for registration offenses:** Statute includes “United States” or “Federal Government” language.

**Offenders required to register:** Every person convicted on or after July 1, 1994, of an offense set forth in § 9.1-902 shall register and reregister as required by this chapter. Every person serving a sentence of confinement on or after July 1, 1994, for a conviction of an offense set forth in § 9.1-902 shall register and reregister as required by this chapter. Every person under community supervision as defined by § 53.1-1 or any similar form of supervision under the laws of the United States, any foreign country, or any political subdivision thereof, and any person convicted of any offense for which registration in a sex offender and crimes against minors registry is required under the laws of the jurisdiction where the offender was convicted on or after July 1, 1994, resulting from a conviction of an offense set forth in § 9.1-902 shall register and reregister as required by this chapter.

**Access to Information:** Section 9.1-914 authorizes the Central Criminal Records Exchange (CCRE) of the Virginia Department of State Police to electronically or mail to notify an individual conducting Child Day Care or Child-Minding Services, elementary, secondary, public, parochial and denominational schools, STATE REGULATED or LICENSED child care institution, child day center, child day program, foster home or group home of the registration of a sex offender residing within the same or contiguous zip code as the entitled organization or entity. Also, any person may request from the State Police and, upon compliance with the requirements therefore established by the State Police, shall be eligible to receive from the State Police electronic notice of the registration or reregistration of any sex offender, within three days of receipt.

**Duration of Requirement:** Any person required to register or reregister shall be required to register until the duty to register and reregister is terminated by a court order as set forth in § [9.1-910](#), except that any person who has been convicted of (i) any sexually violent offense, (ii) murder or (iii) former § [18.2-67.2:1](#) shall have a continuing duty to reregister for life. Any person required to register, other than a person who has been convicted of any (i) sexually violent offense, (ii) two or more offenses for which registration is required, (iii) a violation of former § [18.2-67.2:1](#), or (iv) murder, may petition the circuit court in which he was convicted or the circuit court in the jurisdiction where he then resides for removal of his name and all identifying information from the Registry. A petition may not be filed earlier than 15 years, or 25 years for violations of § [18.2-64.1](#), subsection C of § [18.2-374.1:1](#), or subsection C, D, or E of § [18.2-374.3](#), after the date of initial registration nor earlier than 15 years, or 25 years for violations of § [18.2-64.1](#), subsection C of § [18.2-374.1:1](#), or subsection C, D, or E of § [18.2-374.3](#), from the date of his last conviction for (a) a violation of § [18.2-472.1](#) or (b) any felony. A petition may not be filed until all court ordered treatment, counseling, and restitution has been completed. The court shall obtain a copy of the petitioner's complete criminal history and registration and reregistration history from the Registry and then hold a hearing on the petition at which the applicant and any interested persons may present witnesses and other evidence. The

Commonwealth shall be made a party to any action under this section. If, after such hearing, the court is satisfied that such person no longer poses a risk to public safety, the court shall grant the petition. In the event the petition is not granted, the person shall wait at least 24 months from the date of the denial to file a new petition for removal from the Registry.

**Penalty for Non-compliance:** Any sex offender who knowingly fails to register or reregister, or who knowingly provides materially false information to the Sex Offender and Crimes Against Minors Registry for failure to comply with the registration required is punishable as provided in § 18.2-472.1.

**Administrating Agency:** Virginia State Police.

## Washington

**Statute:** WASH. REV. CODE ANN. 9A.44.130-145

**Relevant language for registration offenses:** Includes “United States” or “Federal Government” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any adult or juvenile residing, whether or not the person has a fixed residence, is employed, or carries on a vocation in this state who has been found to have committed or has been convicted of any sex offense or kidnapping offense, or who has been found not guilty by reason of insanity of committing any sex offense or kidnapping offense.

**Access to Information:** Risk Level 1: Local law enforcement agencies shall share information with other appropriate law enforcement agencies and may disclose, upon request, relevant, necessary, and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found. Risk Level 2: Local law enforcement may also disclose relevant, necessary and accurate information to public and private schools, child day care centers, family day care providers, businesses and organizations that serve primarily children, women, or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found. Risk Level 3: Local law enforcement may also disclose relevant, necessary, and accurate information to the public at large. Non-compliant level 1 offenders, all level II and III offenders are listed on a public website.

**Duration of Requirement:** Life if Class A felony; 15 years if Class B felony; 10 years if Class C felony.

**Penalty for Non-compliance:** A class C felony if the crime for which the individual was convicted was a felony sex offense or a federal or out-of-state conviction for an offense that under the laws of this state would be a felony kidnapping offense. If the crime was other than a felony or a federal or out-of-state conviction for an offense that under the laws of this state would be other than a felony, violation of this section is a class c felony.

**Administrating Agency:** Washington State Patrol.

## West Virginia

**Statute:** W. VA. CODE ANN. 15-12-1 to 10

**Relevant language for registration offenses:** Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Applies retroactive. Convicted of a qualifying offense or attempt to commit, or convicted under a similar provision in another state, federal or military jurisdiction, or those found not guilty by reason of mental illness, mental retardation or addiction of a qualifying offense are required to register. Also if convicted of an offense and the sentencing judge determines that the offense was sexually motivated must register.

**Access to Information:** All lifetime registered sex offenders are available to the public on the Internet. A quarterly mailing is available upon request. Information on those registered for 10 years is not available to the public without a court order.

**Duration of Requirement:** Life for anyone convicted of a sexual offense involving a minor (under the age of 18); 1 or more prior sexual convictions; judge determines there were multiple victims or multiple counts for a qualifying offense; any sexually violent offense, has been court determined to be a sexual violent predator: 10 years for any one time non-violent sexual offense involving an adult.

**Penalty for Non-compliance:** Misdemeanor – penalty, fined not less than two hundred fifty dollars nor more than ten thousand dollars, or imprisoned in the county jail not more than one year, or both fined and imprisoned. Felony if convicted of second or subsequent offense – penalty, 1-5 yrs. Felony if convicted of third or subsequent offense – penalty 5-25 years. If required to register for life it is a felony to fail to provide registration changes or fail to register. Penalty 1-5 yr. Felony for second or subsequent offense – penalty 10-25 years. Felony for any person required to register as a sexually violent predator who fails to register or provide registration changes - Penalty - 1st offense 2-10 yrs. Second or subsequent offense 15-35 yrs.

**Administrating Agency:** State Police.

## Wisconsin

**Statute:** WIS. STAT. ANN. 301.45 to 46

**Relevant language for registration offenses:** Statute includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Adult and juvenile sex offenders who, on or after 12/25/93, were: sentenced; in an institutional setting; discharged; or on field supervision.

**Access to Information:** Victims and victims' families have direct access to SORP information related to their offender(s) via a toll-free number. Victims may also request written notification of the offender's change of address or similar information. Information is available to victims through <http://WIVictimsVoice.org>

**Duration of Requirement:** Generally, people must register for 15 years if they have had one conviction for an included offense, and for life if they have more than one conviction. Certain crimes require life registration, even if there is only one conviction.

**Penalty for Non-compliance:** Fine not to exceed \$10,000 and imprisonment not to exceed 6 years or both.

**Administrating Agency:** State Department of Corrections.

## Wyoming

**Statute:** WYO. STAT. ANN. 7-19-301 to308

**Relevant language for registration offenses:** Statute includes “another jurisdiction” or “any court” language. Includes “military court,” “military jurisdiction,” or “UCMJ” language.

**Offenders required to register:** Any sex offender who enters the state of Wyoming with the purpose of residing, working or going to school must register with the Sheriff’s Office in the county where they will be residing, working or going to school, within three (3) working days of entering the state, in accordance with the Wyoming Sex Offender Registration Act. Any sex offender visiting Wyoming, and being within the state of Wyoming for more than three (3) consecutive days is required to register. “Offender” means a person convicted of a criminal offense specified in W.S. 7-19-302(g) through (j), or convicted of a criminal offense from Wyoming or any other jurisdiction containing the same or similar elements, or arising out of the same or similar facts or circumstances, as a criminal offense as specified in W.S. 7-19-302(g) through (j). “Convicted” includes pleas of guilty, nolo contendere and verdicts of guilty upon which a judgment of conviction may be rendered. “Convicted” shall not include dispositions pursuant to W.S. 7-13-301. "Criminal offense against a minor" means the offenses specified in this paragraph in which the victim is less than eighteen (18) years of age. "Criminal offense against a minor" includes an offense committed in another jurisdiction, including a federal court or courts martial, which, if committed in this state, would constitute a "criminal offense against a minor" as defined in this paragraph. "Criminal offense against a minor" includes: (A) Kidnapping under W.S. 6-2-201; (B) Felonious restraint under W.S. 6-2-202; (C) False imprisonment under W.S. 6-2-203; (D) Offenses under W.S. 6-4-101 through 6-4-103 in which a minor is the object of the sexual act or proposed sexual act; (E) Producing obscene material under W.S. 6-4-302 if the offense involves the use of a minor in a sexual performance; (F) Soliciting sexual conduct under W.S. 6-2-318; (G) Sexual exploitation of a child under W.S. 6-4-303; (H) An attempt to commit an offense described in subparagraphs (A) through (G) of this paragraph. Sex offense convictions occurring outside the state of Wyoming are reviewed to determine if an equivalent Wyoming statute exists. This and the age of the victim determines what category the offender will register under.

**Access to Information:** The information collected under this act shall be confidential, except for that information collected in accordance with paragraph (c)(iii) of this section which information shall be a matter of public record.

The division shall provide notification of registration under this act, including all registration information, to the district attorney of the county where the registered offender is residing at the time of registration or to which the offender moves. In addition, the following shall apply:

If the offender was convicted of an offense specified in W.S. 7-19-302(h) or (j), notification shall be provided by mail, personally or by any other means reasonably calculated to ensure delivery of the notice to residential neighbors within at least seven hundred fifty (750) feet of the offender's residence, organizations in the community, including schools, religious and youth organizations by the sheriff or his designee. In addition, notification regarding an offender

employed by or attending school at any educational institution shall be provided upon request by the educational institution to a member of the institution's campus community as defined by subsection (h) of this section;

(iii) Notification of registration under this act shall be provided to the public through a public registry, as well as to the persons and entities required by paragraph (ii) of this subsection. The division shall make the public registry available to the public through electronic internet technology.

**Duration of Requirement:** Offenders convicted of offenses found in W.S. 7-19-302(g) shall register for 15 years from date of conviction if not incarcerated for the registerable offense, or from the date of release from incarceration if incarcerated on the registerable offense. This includes all out of state convictions found to have the Wyoming equivalent in this category. Additionally, if the offender is incarcerated for any other offenses during this registration period, the time is “tolled” and added to the end of that 15 year period. “Incarceration” includes prisons and county detention facilities. The offender may petition the district court for the district in which the offender is registered to reduce the period of registration under this paragraph by five (5) years if the offender maintains a clean record as provided in subsection (d) of this section.

Offenders convicted of offenses found in W.S. 7-19-392(h) and (j) shall register for lifetime. An offender specified in W.S. 7-19-302(h) who has been registered for at least twenty-five (25) years, exclusive of periods of confinement, may petition the district court for the district in which the offender is registered to be relieved of the duty to continue to register. Upon a showing that the offender has had no further felony or misdemeanor convictions during the period of registration, the district court may order the offender relieved of the duty to continue registration.

**Penalty for Non-compliance:** Failure to register can be punished as a felony, punishable by a fine of up to one thousand dollars (\$1,000.00), imprisonment for up to ten (10) years, or both.

**Administrating Agency:** The Wyoming Department of Criminal Investigation (DCI) within the Wyoming Office of the Attorney General.

## **Recommended resources and works cited**

In addition to the individual statutes and instructions cited above, the following resources are recommended for additional reference and were also used for the preparation of this guide.

- Andrew D. Flor, *Sex offender registration laws and the Uniform Code of Military Justice: a primer: everything should be made as simple as possible, but not simpler.* ARMY LAWYER, August 2009.
- The Department of Justice maintains a national sex offender public website with links to the public registry websites maintained by the individual registry jurisdictions. It is available online at <http://www.nsopw.gov/Core/PublicRegistrySites.aspx>.
- The Klaas Kids Foundation provides a website with information on Meghan's Law application by State and sex offender registration laws by State. This information is available at [www.klaaskids.org](http://www.klaaskids.org).

[www.MilitaryJusticeInternational.com](http://www.MilitaryJusticeInternational.com)