

Sex Offender Registry Requirements Across the United States

What is the Sex Offender Registry?

Every state and U.S. territory requires those convicted of sex offenses to be added to a registry to be monitored and tracked after their release back into the community. Information about the offender is collected and shared with local and federal authorities, as well as the general public. Requirements and restrictions are often placed on registered sex offenders. That registration process is unique in each state and U.S. territory.

What is SORNA?

The Sex Offender Registration and Notification Act (SORNA) was passed in 2006 as part of the Adam Walsh Child Protection and Safety Act to provide federal standards for jurisdictions to follow. SORNA calls for states and U.S. territories to meet minimum requirements for sex offender registration and notification.

Why Are the Requirements for Sex Offender Registration Different Everywhere?

While SORNA's guidelines streamlined registration and notification requirements across the country, these requirements are far from uniform. Each jurisdiction determines the details of their own registration process. This leaves a patchwork of rules for sex offenders that vary widely depending on where a registrant lives or works.

Where PIN Comes In

Probation Information Network developed a list of questions regarding the sex offender registration requirements across the country. These are questions that might concern the public, victims and their advocates, or those who are facing registration or are currently registered and their loved ones. We then searched the statutes or code of each jurisdiction for the laws surrounding sex offender registration and notification. Where necessary, we consulted with the law enforcement agency in charge of the jurisdiction's registry to provide clear and concise answers to the following questions:

- **What is the duration of registration?**

How long must a sex offender remain on the registry? The length of time a sex offender must comply with registration requirements varies widely depending on the jurisdiction where the registrant lives, and the level of the offense committed. All but 2 jurisdictions offer a path for eventual removal from the registry for at least some of their registrants.

- **Must the immediate community be notified directly, either by the offender or law enforcement?**

Every jurisdiction has passive community notification in the form of a public sex offender registry website. Concerned citizens are free to search the website and can sign up for email notifications if a sex offender moves into their neighborhood. Some jurisdictions go even further and require active notification, where either law enforcement or the offender themselves is required to directly

notify the immediate community that a sex offender is in the area. This can take many forms, including electronic, mail, or in-person notification, publication in local newspapers, and community meetings.

- **What are the residence distance restrictions?**

Are there any restrictions on where a registered sex offender can live? Some jurisdictions restrict registrants from living within a measured distance of certain places. This restriction could be for all registrants, or only for higher-level offenders or those under supervision. Some jurisdictions do not have a state-wide restriction but do allow local jurisdictions to enact their own.

- **What are the employment distance restrictions?**

Registered sex offenders are usually restricted from certain types of employment, and from working at establishments that specifically cater to minors. Some jurisdictions go even further and restrict registrants from working within a measured distance of certain places.

- **Is an employer's information included on the public registry?**

Returning citizens of every type need to find employment upon reentry, and sex offenders are no exception. Some jurisdictions include registrants' employment information on the public registry website. This could be the employer's address or in some cases the name of the employer.

- **Are online identifiers included on the public registry?**

Some jurisdictions require registered sex offenders to report any identifiers they use online, such as email addresses and social media user names. In some jurisdictions that information is included on the public registry website, separate from the registrant's profile, in a feature that allows the public to search by specific identifiers.

- **Is a state-issued ID required to be labeled?**

Some jurisdictions require a state-issued ID, such as a driver's license, to be labeled to identify the holder as a registered sex offender. This label could be the words "Sex Offender" printed on the ID in a prominent place or a more subtle designation known to law enforcement.

- **What is the cost of registration?**

Is there a fee to register as a sex offender? Some jurisdictions pass on some of their administrative costs to the registrants. This could be a one-time fee paid only upon initial registration, or an ongoing fee paid annually or quarterly. Some jurisdictions charge a fee every time a registrant updates their information.

- **How long can a registrant be in the state for work or education before registration is required?**

Does a sex offender have to register if they work or go to school in a different state? It depends on the state, and how long the registrant will be there. Some jurisdictions require registrants to notify authorities immediately, while others allow limited stays without requiring registration. Registrants currently under supervision usually need permission from their Parole or Probation Officer before traveling and should always consult their supervising officer.

- **How long can a registrant visit the state before registration is required?**

Can a registered sex offender go on vacation? Does a sex offender have to register if they visit a different state? It depends on the state, and how long the registrant will be there. Some jurisdictions require registrants to notify authorities immediately, while others allow limited stays without requiring registration. Registrants currently under supervision usually need permission from their Parole or Probation Officer before traveling and should always consult their supervising officer.

The answers provided are taken directly from the laws found on the state or territory's legislative website or, where necessary, from the website of the law enforcement agency in charge of the jurisdiction's registry. In some cases, we contacted state or territory officials for clarification and have directly quoted those conversations.

Disclaimer

While we stand by our research, it is for informational purposes only. It should not be considered legal advice and, while we strive to provide accurate and up to date information, it is not guaranteed to be complete or correct. We provide links to each jurisdiction's legislative and law enforcement websites and maintain a directory of lawyers who specialize in sex offender registration laws. For those currently under supervision, consult with your Parole or Probation Officer for guidance.

Nebraska Sex Offender Registry Requirements

What is the duration of registration?

NE Code § 29-4005.

(1)(a) Except as provided in subsection (2) of this section, any person to whom the Sex Offender Registration Act applies shall be required to register during any period of supervised release, probation, or parole and shall continue to comply with the act for the period of time after the date of discharge from probation, parole, or supervised release or release from incarceration, whichever date is most recent, as set forth in subdivision (b) of this subsection. A sex offender shall keep the registration current for the full registration period but shall not be subject to verification procedures during any time the sex offender is in custody or under an inpatient civil commitment, unless the sex offender is allowed a reduction in his or her registration period under subsection (2) of this section.

(b) The full registration period is as follows:

- (i) Fifteen years, if the sex offender was convicted of a registrable offense under section 29-4003 not punishable by imprisonment for more than one year;
- (ii) Twenty-five years, if the sex offender was convicted of a registrable offense under section 29-4003 punishable by imprisonment for more than one year; or
- (iii) Life, if the sex offender was convicted of a registrable offense under section 29-4003 punishable by imprisonment for more than one year and was convicted of an aggravated offense or had a prior sex offense conviction or has been determined to be a lifetime registrant in another state, territory, commonwealth, or other jurisdiction of the United States, by the United States Government, by court-martial or other military tribunal, or by a foreign jurisdiction.

Must the immediate community be notified directly, either by the offender or law enforcement?

No.

What are the residence distance restrictions?

Nebraska legislation simply enacted guidelines in July 2006 for those cities who wish to adopt a living restriction ordinance. It is not a state-wide law. Therefore, it only applies to those cities or designated entities that pass such an ordinance which only applies to schools and day cares; furthermore, it will be up to the local agencies to enforce the restrictions if adopted. The city ordinance only applies to sexual predators that moved to the reported address after July 2006. Sexual predator means an individual who is required to register under the Sex Offender Registration act, who has committed an aggravated offense and who has victimized a person eighteen years of age or younger. The Nebraska State Patrol does not track which cities choose to enact or enforce the ordinance. Please contact the local city office, police department or sheriff's office of the city in question.

– Nebraska State Patrol

NE Code § 29-4017.

(1) A political subdivision may enact an ordinance, resolution, or other legal restriction prescribing where sex offenders may reside only if the restrictions are limited to sexual predators, extend no more than five hundred feet from a school or child care facility, and meet the requirements of subsection (2) of this section.

(2) An ordinance, resolution, or other legal restriction enacted by a political subdivision shall not apply to a sexual predator who:

- (a) Resides within a prison or a correctional or treatment facility operated by the state or a political subdivision;
- (b) Established a residence before July 1, 2006, and has not moved from that residence; or
- (c) Established a residence after July 1, 2006, and the school or child care facility triggering the restriction was established after the initial date of the sexual predator's residence at that location.

(3) Any ordinance, resolution, or other legal restriction prescribing where sex offenders may reside which does not meet the requirements of this section is void, regardless of whether such ordinance, resolution, or legal restriction was adopted prior to, on, or after July 14, 2006.

What are the employment distance restrictions?

The Nebraska Sex Offender Registration law does not have any restrictions on registered sex offenders. This is a common misperception. The SOR law also does not have the legal jurisdiction to prevent an offender from attending events, limiting employment, restrict an offender from entering any facilities, or refrain from living with or socializing with children or vulnerable persons. The SOR law can only mandate the offender to register his or her required information under statutes 29-4004 and 29-4006 at the sheriff's office within the required time.

– Nebraska State Patrol

Is an employer's information included on the public registry?

No.

NE Code § 29-4009.

(1) Information obtained under the Sex Offender Registration Act shall not be confidential, except that the following information shall only be disclosed to law enforcement agencies, including federal or state probation or parole agencies, if appropriate:

- (h) The name of any employer of a sex offender.

Are online identifiers included on the public registry?

No.

NE Code § 29-4009.

(1) Information obtained under the Sex Offender Registration Act shall not be confidential, except that the following information shall only be disclosed to law enforcement agencies, including federal or state probation or parole agencies, if appropriate:

- (e) A sex offender's email addresses, instant messaging identifiers, chat room identifiers, global unique identifiers, and other Internet communication identifiers;

Is a state-issued ID required to be labeled?

No.

What is the cost of registration?

There is no state-mandated fee, though fees may be assessed by local law enforcement.

How long can a registrant be in the state for work or education before registration is required?

Offenders are only required to register if they are employed in Nebraska for 14 consecutive days or any 30 days within a calendar year: 29-4004(b) Is employed or carries on a vocation means any full-time or part-time employment, with or without compensation, which lasts for a duration of more than fourteen days or for an aggregate period exceeding thirty days in a calendar year.

However, if employment takes place over a 3 day period where the offender has a temporary address in Nebraska, then the offender must register due to the fact he/she is staying in Nebraska for 3 working days or more. If the offender has not registered in NE, the offender must report to a designated Patrol office for initial registration. Prior to leaving the offender must deregister the temporary address and employment in person at the sheriff's office or the offender will be posted as absconded.

– Nebraska State Patrol

NE Code § 29-4004.

(6) Any person required to register under the act who is residing, has a temporary domicile, or is habitually living in another state, and is employed, carries on a vocation, or attends school in this state, shall report and register, in person, with the sheriff of the county in which he or she is employed, carries on a vocation, or attends school in this state and complete a form as prescribed by the Nebraska State Patrol for such purpose, within three working days after becoming employed, carrying on a vocation, or attending school. The person shall also notify the sheriff of any changes in employment, vocation, or school of attendance, in person, and complete a form as prescribed by the Nebraska State Patrol for such purpose, within three working days after the change. The sheriff shall submit such information to the sex offender registration and community notification division of the Nebraska State Patrol on the day it is received and in a manner as prescribed by the Nebraska State Patrol for such purpose. For purposes of this subsection:

(a) Attends school means enrollment in any educational institution in this state on a full-time or part-time basis; and

(b) Is employed or carries on a vocation means any full-time or part-time employment, with or without compensation, which lasts for a duration of more than fourteen days or for an aggregate period exceeding thirty days in a calendar year.

NE Code § 29-4001.01.

For purposes of the Sex Offender Registration Act:

(6) Temporary domicile means any place at which the person actually lives or stays for a period of at least three working days.

How long can a registrant visit the state before registration is required?

An offender must register if he/she has a temporary address for 3 working days or more; working days is Monday-Friday not including weekends or Nebraska state holidays. An offender must also register if he/she has a habitual living location for 3 days or more. If an offender is simply traveling through Nebraska that does not meet the 3 working day or 3 day requirement then no registration is required.

– Nebraska State Patrol

NE Code § 29-4001.01.

For purposes of the Sex Offender Registration Act:

(6) Temporary domicile means any place at which the person actually lives or stays for a period of at least three working days.