

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.

Alabama Sex Offender Registry Requirements

What is the duration of registration?

AL Code § 15-20A-10

(f) An adult sex offender shall appear in person to verify all required registration information during the adult sex offender's birth month and every three months thereafter, regardless of the month of conviction, for the duration of the adult sex offender's life with local law enforcement in each county in which the adult sex offender resides.

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

AL Code §15-20A-21

(a) Immediately upon the release of an adult sex offender or immediately upon notice of where the adult sex offender plans to establish, or has established a residence, the following procedures shall apply:

(1) In the Cities of Birmingham, Mobile, Huntsville, and Montgomery, the chief of police shall notify all persons who have a legal residence within 1,000 feet of the declared residence of the adult sex offender and all schools and childcare facilities within three miles of the declared residence of the adult sex offender that the adult sex offender will be establishing or has established his or her residence.

(2) In all other cities in Alabama with a resident population of 5,000 or more, the chief of police, or if none, then the sheriff of the county, shall notify all persons who have a legal residence within 1,500 feet of the declared residence of the adult sex offender and all schools and childcare facilities within three miles of the declared residence of the adult sex offender that the adult sex offender will be establishing or has established his or her residence.

(3) In all other municipalities with a resident population of less than 5,000, and in all unincorporated areas, the sheriff of the county in which the adult sex offender intends to reside shall notify all persons who have a legal residence within 2,000 feet of the declared residence of the adult sex offender and all schools and childcare facilities within three miles of the declared residence of the adult sex offender that the adult sex offender will be establishing or has established his or her residence.

(b) A community notification flyer shall be made by regular mail or hand delivered to all legal residences required by this section and include registration information pursuant to Section 15-20A-8. In addition, any other method reasonably expected to provide notification may be utilized, including, but not limited to, posting a copy of the notice in a prominent place at the office of the sheriff and at the police station closest to the declared residence of the released adult sex offender, publicizing the notice in a local newspaper, posting electronically, including the Internet, or other means available.

(c) Nothing in this chapter shall be construed as prohibiting the Director of the Department of Public Safety, a sheriff, or a chief of police from providing community notification under the provisions of this chapter by regular mail, electronically, or by publication or periodically to persons whose legal residence is within the guidelines of this chapter or more than the applicable distance from the residence of an adult sex offender.

What are the residence distance restrictions?

AL Code §15-20A-11

(a) No adult sex offender shall establish a residence or maintain a residence after release or conviction within 2,000 feet of the property on which any school, childcare facility, or resident camp facility is located unless otherwise exempted pursuant to Sections 15-20A-23 and 15-20A-24. For the purposes of this section, a resident camp facility includes any place, area, parcel, or tract of land which contains permanent or semi-permanent facilities for sleeping owned by a business, church, or nonprofit organization used primarily for educational, recreational, or religious purposes for minors and the location of the resident camp has been provided to local law enforcement. Resident camp does not include a private residence, farm, or hunting or fishing camp.

(b) No adult sex offender shall establish a residence or maintain a residence after release or conviction within 2,000 feet of the property on which his or her former victim, or an immediate family member of the victim, resides unless otherwise exempted pursuant to Section 15-20A-24 or Section 15-20A-16.

(c) Changes to property within 2,000 feet of a registered address of an adult sex offender which occur after the adult sex offender establishes residency shall not form the basis for finding that the adult sex offender is in violation of this section unless the sex offender has been released or convicted of a new offense after establishing residency.

(h) For the purposes of this section, the 2,000-foot measurement shall be taken in a straight line from nearest property line to nearest property line.

What are the employment distance restrictions?

AL Code §15-20A-13

(a) No adult sex offender shall accept or maintain employment or a volunteer position at any school, childcare facility, mobile vending business that provides services primarily to children, or any other business or organization that provides services primarily to children, or any amusement or water park.

(b) No adult sex offender shall accept or maintain employment or a volunteer position within 2,000 feet of the property on which a school or childcare facility is located unless otherwise exempted pursuant to Sections 15-20A-24 and 15-20A-25.

(c) No adult sex offender, after having been convicted of a sex offense involving a child, shall accept or maintain employment or a volunteer position within 500 feet of a playground, park, athletic field or facility, or any other business or facility having a principal purpose of caring for, educating, or entertaining minors.

(d) Changes to property within 2,000 feet of an adult sex offender's place of employment which occur after an adult sex offender accepts employment shall not form the basis for finding that an adult sex offender is in violation of this section.

(e) It shall be unlawful for the owner or operator of any childcare facility or any other organization that provides services primarily to children to knowingly provide employment or a volunteer position to an adult sex offender.

(f) For purposes of this section, the 2,000-foot measurement shall be taken in a straight line from nearest property line to nearest property line.

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

No.

Are online identifiers included on the public registry?

No.

Is a state-issued ID required to be labeled?

Yes, with a designation known to law enforcement.

AL Code § 15-20A-18

(b) The adult sex offender shall obtain from the Alabama State Law Enforcement Agency a valid driver license or identification card bearing a designation that enables law enforcement officers to identify the licensee as a sex offender within 14 days of his or her initial registration following release, initial registration upon entering the state to become a resident, or immediately following his or her next registration after July 1, 2011.

What is the cost of registration?

AL Code § 15-20A-22

(a) An adult sex offender shall pay a registration fee in the amount of ten dollars (\$10) to each registering agency where the adult sex offender resides beginning with the first quarterly registration on or after July 1, 2011, and at each quarterly registration thereafter.

(b) Each time an adult sex offender terminates his or her residence and establishes a new residence, he or she shall pay a registration fee in the amount of ten dollars (\$10) to each registering agency where the adult sex offender establishes a new residence.

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

AL Code § 15-20A-14

(b) Any adult sex offender who enters this state to accept employment or a volunteer position or to become a student shall immediately appear in person and register all required registration information with local law enforcement in the county where the adult sex offender accepts employment or the volunteer position or becomes a student.

AL Code § 15-20A-4

For purposes of this chapter, the following words shall have the following meanings:

(9) IMMEDIATELY. Within three business days.

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

AL Code § 15-20A-14

(a) Any adult sex offender who declares he or she is entering the state to establish a residence or who enters this state to establish a residence shall immediately appear in person and register all required registration information with local law enforcement in the county where the adult sex offender intends to establish or establishes a residence.

AL Code § 15-20A-4

For purposes of this chapter, the following words shall have the following meanings:

(9) IMMEDIATELY. Within three business days.

(20) RESIDE. To be habitually or systematically present at a place. Whether a person is residing at a place shall be determined by the totality of the circumstances, including the amount of time the person spends at the place and the nature of the person's conduct at the place. The term reside includes, but is not limited to, spending more than four hours a day at the place on three or more consecutive days; spending more than four hours a day at the place on 10 or more aggregate days during a calendar month; or spending any amount of time at the place coupled with statements or actions that indicate an

intent to live at the place or to remain at the place for the periods specified in this sentence. A person does not have to conduct an overnight visit to reside at a place.

(21) RESIDENCE. A fixed residence as defined by this section or other place where the person resides, regardless of whether the person declares or characterizes such place as a residence.