

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.

Guam Sex Offender Registry Requirements

What is the duration of registration?

Title 9 GCA § 89.04

A registrant shall continue to comply with this Chapter, except during ensuing periods of incarceration, for the following period of time:

(a) Lifetime; Level One and Level Two Offenders. A Level One Offender or Level Two Offender must comply with this Chapter for the length of that person's life.

(b) Fifteen (15) Years; Level Three Offenders. A Level Three Offender must comply with this Chapter for a period of fifteen (15) years from the date of that person's initial registration.

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

Title 9 GCA § 89.11

(h) Method of Release of Information. The Judiciary of Guam, Probation Division, shall maintain the Public Sex Offender Registry Website and it shall be updated immediately after a registrant registers, or updates registered information. The community shall have access to the Sex Offender Registry Web Page. The Judiciary of Guam, Probation Division, shall transmit a notice of any updates to registration information concerning any sex offender to the Guam Department of Education, the Guam Community College, the University of Guam, the Department of Administration, the Department of Labor & Agency for Human Resources Development, the Department of Public Health & Social Services, the Department of Youth Affairs, the Child Protective Services Agency, the Office of the Attorney General, all public and private schools, day care centers, victim shelters and victim advocates, within three (3) calendar days with the information in which such registration information can be found. The Judiciary of Guam, Probation Division, may transmit such information and fulfill the requirement of this Section by use of an email notification system described in §89.10(j), below. The Judiciary of Guam, Probation Division, may transmit any information concerning all sex offenders directly to the media for dissemination.

What are the residence distance restrictions?

Sex offenders who are under probation or parole supervision must have their home locations approved in order to make sure that it is appropriate (for example, not near or with children). Those offenders who are not under a court order or correctional supervision, however, and who are in the community without supervision have no such restrictions (unless they live in a jurisdiction that has residency restrictions).

– Island of Guam Courts of Justice

What are the employment distance restrictions?

Title 9 GCA § 89.15

Any person convicted of a violation of Chapters 25 and 25.1 of this Chapter and/or is required to register as a Sex Offender pursuant to the provisions of this Chapter, may not be employed, directly or through an independent contractor, in any of the following:

- (a) a medical, dental or physical therapy facility or clinic while patients are present;
- (b) a child care facility while children are present;
- (c) a school or learning institution while children are present;
- (d) a medical or disabled person transport service while patients are present;
- (e) a hospital nursing home or hospice facility while patients are present; or
- (f) as an installer or deliverer of services or goods where the employee may be required to enter a private residence.

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

Yes.

Title 9 GCA § 89.11

(d) Information on the Public Sex Offender Registry Website. The following information shall be made available to the public on the sex offender registry website:

- (4) the address of the sex offender's employer;

Are online identifiers included on the public registry?

No.

Title 9 GCA § 89.11

(e) Prohibited Information. The following information shall not be available to the public on the sex offender registry website:

- (5) any Internet Identifiers.

Is a state-issued ID required to be labeled?

No.

What is the cost of registration?

\$100 one-time fee payable upon initial registration.

- Judiciary of Guam, Probation Services Division

Title 9 GCA § 89.09

(f) Fees. The Judiciary of Guam, Probation Division, is authorized to collect reasonable registration fees from registrants. Such fees shall be used for the maintenance and support of the sex offender registration and notification program. One hundred percent (100%) of the fee paid by the registrant shall be given to the Judiciary of Guam, Probation Division.

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

Title 9 GCA § 89.03

(d) (2) Initial Registration, In General. All sex offenders shall initially register:

- (D) no later than three (3) working days after arrival on Guam;

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

Title 9 GCA § 89.03

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