

# 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.

## **U.S. Virgin Islands Sex Offender Registry Requirements**

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

14 V.I.C. § 1724

(d) A sex offender who is required to register shall, at a minimum, appear in person at the Department of Justice for the purposes of verification and keeping their registration current in accordance with the following time frames:

- (1) For "Tier 1" offenders, once every year for 15 years from the time of release from custody for a sex offender who is incarcerated for the registration offense or from the date of sentencing for a sex offender who is not incarcerated for the registration offense.
- (2) For a "Tier 2" offenders, once every 180 days for 25 years from the time of release from custody for a sex offender who is incarcerated for the registration offense or from the date of sentencing for a sex offender who is not incarcerated for the registration offense.
- (3) For "Tier 3" offenders, once every 90 days for the rest of their lives.

(e) A sex offender may have their period of registration reduced as follows:

- (1) A "Tier 1" sex offender may have his or her period of registration reduced to 10 years only after he or she has maintained a clean record for 10 consecutive years and the Sex Offender Registry Board has made a favorable determination regarding the risk of re-offense and the degree of dangerousness the sex offender poses to the community.
- (2) A "Tier 3" sex offender may have his or her period of registration reduced to 25 years only if he or she was adjudicated delinquent of an offense as a juvenile that required Tier 3 registration and he or she has maintained a clean record for 25 consecutive years and the Sex Offender Registry Board has made a favorable determination regarding the risk of re-offense and the degree of dangerousness the sex offender poses to the community.

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

14 V.I.C. § 1727

(d) Whenever a person who is required to register under this chapter lives within a one-mile radius of a child-care facility, a public school, a private school or a parochial school in the Territory, the Attorney General shall notify the owner or operator of that child-care facility, private school, parochial school, or the Department of Education.

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

None.

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

None.

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

Yes.

14 V.I.C. § 1727

(e) The Attorney General shall use and maintain a public sex offender registry website. The sex offender registry website shall:

(6) include the following information:

(v) the address of the sex offender's employer(s)

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

No.

14 V.I.C. § 1727

(f) The public sex offender registry website shall not include the following information:

(5) internet identifiers (as defined in 42 U.S.C. § 16911 [now see 34 U.S.C. § 20911]);

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

No.

**What is the cost of registration?**

None found.

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

14 V.I.C. § 1724

(a) (4) A person who is convicted in any state, territory or Indian tribe of the United States, any foreign jurisdiction or in any federal or military court of one of the covered offenses or an offense similar to one of the covered offenses who moves to or returns to the United States Virgin Islands from another jurisdiction for the purpose of establishing residency, employment, or becoming a student or who did not intend to but who eventually establishes residency, obtains employment or becomes a student within the jurisdiction of this territory shall register within three (3) business days of moving to or returning to the Territory.

14 V.I.C. § 1721

(j) The terms "reside" and "resides" mean, with respect to an individual, the location of the individual's home or other place where the individual habitually lives or sleeps for more than 30 days per year. Moreover, all visitors and individuals who are required to register pursuant to this chapter and who will be present in the territory for less than 30 days in any given year, must contact the Department of Justice in order to notify the Department of his or her presence in the territory as well as all arrival and departure information.

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

14 V.I.C. § 1724

(a) (4) A person who is convicted in any state, territory or Indian tribe of the United States, any foreign jurisdiction or in any federal or military court of one of the covered offenses or an offense similar to one of the covered offenses who moves to or returns to the United States Virgin Islands from another jurisdiction for the purpose of establishing residency, employment, or becoming a student or who did not intend to but who eventually establishes residency, obtains employment or becomes a student within the jurisdiction of this territory shall register within three (3) business days of moving to or returning to the Territory.

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