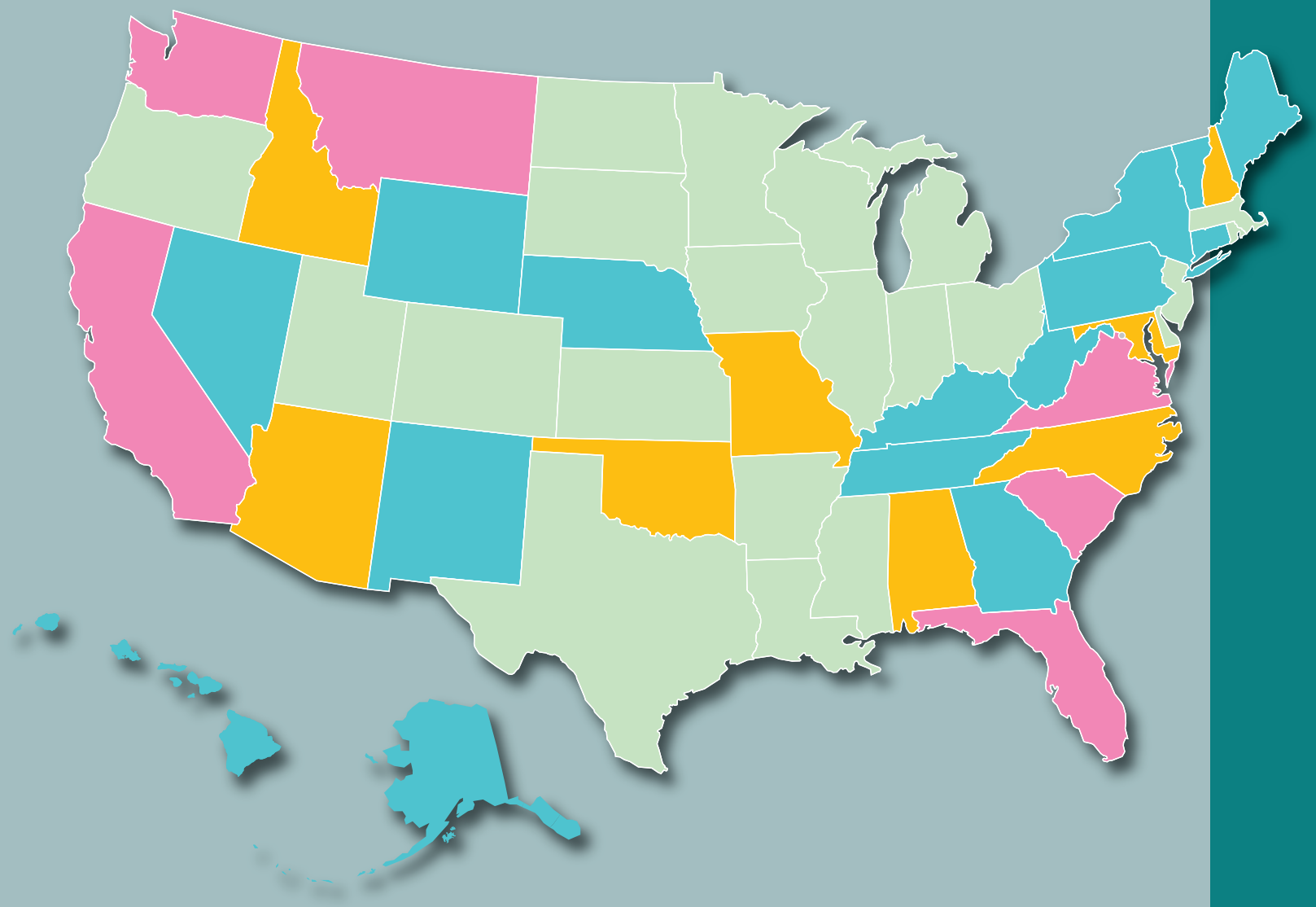
A SNAPSHOT

OF JUVENILE SEX OFFENDER REGISTRATION AND NOTIFICATION LAWS

A Survey of the United States



by Nicole Pittman and
Quyen Nguyen

Prepared primarily by Quyen Nguyen and Nicole Pittman with the support of the Defender Association of Philadelphia.

NICOLE I. PITTMAN
Author, Snapshot
Juvenile Justice Policy Analyst Attorney, Defender Association of Philadelphia

Nicole is a leading expert on the impact of sex offense registries on children in the juvenile justice system. She has served as a consultant on legal and legislative issues related to juvenile sexual offending behavior and the use of forensic science to better defend juveniles in delinquency proceedings. Since 2006, Nicole has provided expert testimony on federal sex offense notification and registration issues to over thirty state legislatures and to federal policymakers and the United States Congress. She has also published and presented widely on these issues.

A graduate of Duke University and Tulane Law School, Nicole has held staff positions at the Juvenile Justice Project of Louisiana, the Orleans Parish Indigent Defender and the New Orleans Pro Bono Project.

In June 2011, Nicole was awarded the prestigious Soros Foundation Justice Advocacy Fellowship. Beginning in September 2011, she will be hosted as a Soros Fellow by Human Rights Watch and will work to raise awareness around the constitutionality, practicality and wisdom of including children in the nation's sex offense registration and notification systems.

QUYEN NGUYEN
Co-Author, Snapshot
Juvenile Policy Assistant, Defender Association of Philadelphia

Quyen graduated from Temple University with a double major in Criminal Justice and Political Science. While studying at Temple, she interned with the Pennsylvania Prison Society, interacting directly with re-entry clients and families of the incarcerated. Quyen also participated in the Inside Out Prison Exchange Program, working with incarcerated men to explore and discuss the issues facing men and women incarcerated in the Commonwealth of Pennsylvania. Her interests include justice policy issues, prison reform, state and local governance, and state building. Quyen currently serves as Juvenile Policy Assistant at the Defender Association of Philadelphia.

CONTRIBUTORS

PRINCIPAL LEGAL AND LANGUAGE EDITOR

Kirsten Samantha Rønholt

LEGAL AND LANGUAGE EDITORS

Evan J. Chyun
Sarah Jeanne Maguire

ASSISTANT EDITORS

Marit Anderson
Nyssa E. Taylor
Robert L. Listenbee

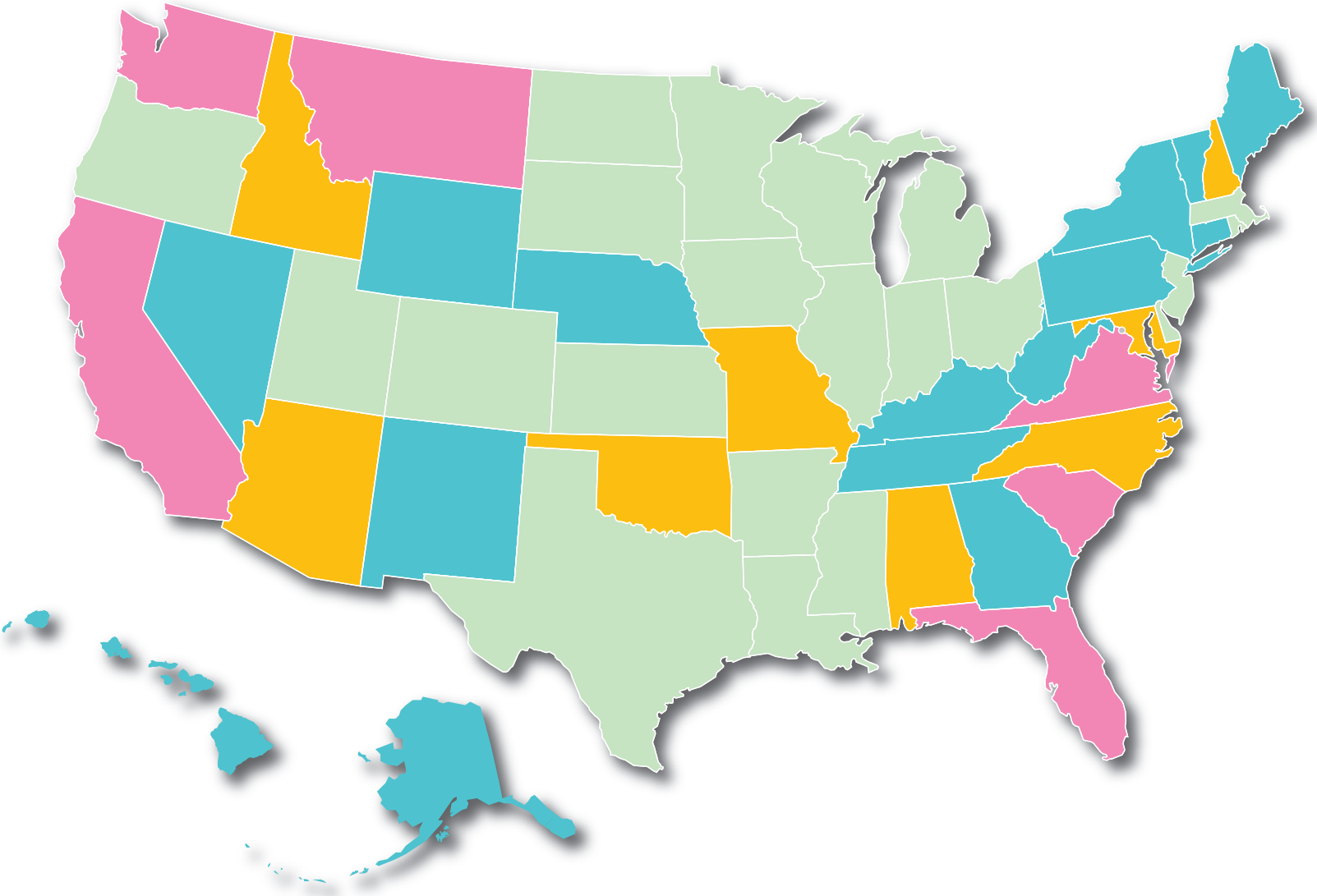
LEGAL RESEARCHERS

Michael Doneson
Jessica Freid
Tara Howley
Kirsten Samantha Rønholt
Matt Sullivan

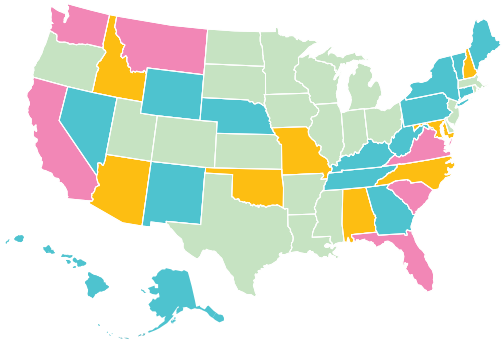
A SNAPSHOT

OF JUVENILE SEX OFFENDER REGISTRATION AND NOTIFICATION LAWS

A Survey of the United States



by Nicole Pittman and
Quyen Nguyen



COVER MAP KEY

- Juveniles are not required to register unless convicted in adult court
- Juveniles adjudicated delinquent are subject to registration
- States with lifetime registration
- Juveniles' duty to register automatically terminates after a period of time

DISCLAIMER

The information in this survey is not intended to replace the services of a trained legal professional or the instructions of a law enforcement agent trained to register individuals. Any application of the resources or laws set forth in this book is at the reader's sole discretion and risk. The authors, editors, and contributors specifically disclaim any liability, loss or risk, personal or otherwise, which is incurred as a consequence, direct or indirect, of the use and application of any of the contents of this survey.

The authors provide this information but neither endorse the issues nor promote the laws discussed.

Permission is required to alter the content or form of this publication for any purpose. To obtain permission please contact Nicole Pittman by phone 267.765.6766 or by email NPittman@Philadefender.org

2011

TABLE OF CONTENTS

Overview **1**

I: Introduction **3**
Including the History and Origins of Sex Offender Registration Laws

II: The Adam Walsh Act: Sex Offender Registration and Notification Act (SORNA) **11**

III: Guide To SORNA **17**

A: Terminology 18

B: Offenses Requiring Registration 21

C: SORNA Compliance Status 25

IV: Individual State Registration and Notification Requirements Applied to Children **31**

V: Comprehensive Chart of the Sex Offender Registration and Notification Laws Applied to Children in the States **43**

VI: Individual Fact Sheets on Sex Offender Registration and Notification Laws Applied to Children in the States **55**

VII: Directory of State Sex Offender Registration Administrators **117**

Dedication and Acknowledgements

THE SNAPSHOT IS INTENDED FOR USE AS A SURVEY OF THE CURRENT STATE OF THE LAW, NOT AS AN ANALYSIS OR COMMENTARY.

This survey provides the basic information needed to launch a dialogue on the inclusion of children in federal and state sex offender registration and notification systems. At this time, the authors have no plans to supply continuing updates on changes in the laws.

The Adam Walsh Child Protection and Safety Act was passed in 2006.[1] Although the Act contains numerous provisions aimed at combating incidents of sexual assault in the United States, the section of the Act that has garnered the most attention is Title I, the **Sex Offender Registration and Notification Act** (hereinafter referred to as **"SORNA"**). SORNA directs the fifty states, the District of Columbia, certain federally recognized Native American Tribes, and the primary U.S. Territories to include children in their sex offender registration and notification systems.[2] Jurisdictions that fail to enact the SORNA Guidelines by the final deadline, July 27, 2011, risk losing ten percent of their Edward Byrne Memorial Justice Assistance federal funding for noncompliance.[3] The Act represents a substantial shift away from previous legislation, which allowed states to decide for themselves how to treat this unique subset of young individuals.[4]

Attempting to meet the demands of SORNA implementation by the final deadline, many state legislatures have rushed to pass some version of the SORNA Guidelines into law.[5] Unfortunately, the SORNA Guidelines leave much room for misinterpretation. Despite Congress' goal of standardizing sex offender registration systems, communities are left with a disarray of laws that may do more harm than good to public safety.

As the research for this publication was collected, it became apparent that any effort to analyze these laws from a particular perspective would be a daunting, and perhaps futile, task. In light of the mottled condition of sex offender registration and notification laws across the country, and the fact that this book was started less than a year before the final deadline for states to come into compliance with SORNA, our goal is to provide a straightforward reference guide during this time of great flux.

ORGANIZATION OF THE SNAPSHOT

The Snapshot is intended to be a reference book. It is organized into seven sections.

SECTION I starts with an introduction to the Snapshot and the Sex Offender Registration Act (SORNA). We then segue to the "Origins and History" of sex offender registration and notification laws in the United States. The history shows how the laws created to track adult, convicted sex offenders were hastily expanded to include children.

SECTION II, "The Adam Walsh Act: Sex Offender Registration and Notification Act (SORNA)," provides the reader with insight into the challenges of SORNA implementation and looks at the problems of a federal law that includes youth in adult registration and notification systems.

SECTION III, "A Guide to SORNA," is divided into three parts. **Part A** of the SORNA Guide is a glossary of terminology, defined as used throughout the book and in the SORNA Final Guidelines. **Part B** of the Snapshot contains an annotated interpretation of "Offenses Requiring Registration" as defined by the SORNA guidelines. Three sample states – Arkansas, Kansas, and Maryland – were used to illustrate what falls under the broad category of "Offenses Requiring Registration" under the SORNA Guidelines. **Part C** is a brief and practical chart detailing the main components of juvenile sex offender registration and notification in the seven states deemed to be in compliance by the U.S. Department of Justice as of June 6, 2011, the date this text was revised.

SECTION IV offers a listing of the "Individual State Registration and Notification Requirements Applied to Children," organized by category.

SECTION V presents a comprehensive chart highlighting, comparing, and contrasting the main provisions of registration and notification laws applied to children and adolescents adjudicated delinquent in the United States. The chart is organized in alphabetical order by jurisdiction.

SECTION VI expands on the information contained in the table in Section V with separate fact sheets summarizing the laws applied to children in each of the 50 states, Guam, and the District of Columbia.

Finally, **SECTION VII** gives the reader a "Directory of the State Sex Offender Registration Administrators." Officially called "SORs," these administrators are the officials assigned by the U.S. Department of Justice to oversee the sex offender registration and notification systems in each jurisdiction.

Note: Title I, § 146 of the Adam Walsh Act created a new office entitled the "Sentencing, Monitoring, Apprehension, Registration and Tracking" (SMART) Office.[6] The SMART Office, located in the Department of Justice's Office of Justice Programs, is responsible for all matters related to the implementation and administration of SORNA. Since the SMART Office opened in 2007, only 13 of the 248 jurisdictions have "substantially implemented" SORNA.[7] The SMART Office is tasked with bringing the remaining 235 jurisdictions in compliance with SORNA by the July 27, 2011 final deadline. This book reflects juvenile sex offender registration and notification legislation and information current through May 1, 2011. Readers are cautioned that the sex offender registration laws of jurisdictions are likely to change as the text goes to press. **Text updated on July 14, 2011.**

OVERVIEW ENDNOTES

[1] On July 27, 2006 President Bush signed the Adam Walsh Child Protection and Safety Act. Pub. L. No. 109-248, 120 Stat. 587 (2006).

[2] The National Guidelines for Sex Offender Registration and Notification, 73 Fed. Reg. 38030, 38031 (July 2, 2008).

[3] The federal funds at risk are part of the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, administered by the Bureau of Justice Assistance (BJA). JAG funding is the leading source of federal justice funding to state and local jurisdictions. The JAG Program provides states, tribes, and local governments with critical funding to support a range of program areas including law enforcement, prosecution, prevention and education, corrections and community corrections, drug treatment and enforcements, planning, evaluation, technology improvement, and crime victim and witness initiatives. *See* Office of Justice Programs' Bureau of Justice Assistance, http://www.ojp.usdoj.gov/BJA/grant/ jag.html.

[4] Valerie Anderson, Application of Mandatory Registration and Notification Laws to Juvenile Sex Offenders (Mar. 26, 2010) (unpublished manuscript) (on file with author).

[5] Under the Adam Walsh Act of 2006, the states have until July 27, 2011 to implement SORNA or else they forfeit 10% of their jurisdiction's Byrne JAG money. A survey conducted by the National Conference of State Legislators (NCSL) found that (at least) 85 bills related to sex offender policy and procedure bills, varying in scope and breadth, had been introduced in 26 states by February 2011 as states scrambled to come into compliance with SORNA guidelines and retain their federal funding. *See Sex Offender Legislation Introduced in State Legislatures,* Nat'l Conference of State Legislatures (Feb. 7, 2011), http://www.ncsl.org/?TabId=22189.

[6] *See generally* Laura L. Rogers, U.S. Dep't of Justice, Office of Justice Programs, The SMART Office: Open for Business (2007), http://www.ojp.gov/smart/pdfs/register.pdf.

[7] The 13 jurisdictions deemed to be in "substantial compliance" with SORNA as of July 11, 2011 are as follows: **States:** Delaware, Florida, Louisiana, Michigan, Nevada, Ohio, South Dakota, and Wyoming; **Tribes:** The Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes and Bands of the Yakama Nation, the Chippewa Indians, and the Grand Traverse Band of Ottawa in Michigan; **U.S. Territories:** Guam. Press Release, Department of Justice, Justice Department Announces Four More Jurisdictions Implement Sex Offender Registration and Notification Act (May 12, 2011), http://www.ojp.usdoj.gov/newsroom/pressreleases/ 2011/SMART11102.htm; Louisiana Listed Among States in Compliance with Federal Adam Walsh Act, July 7, 2011, http://www.KATC.com/news/louisiana-listed-among-states-in-compliance-with-federal-adam-walsh-act/.

INTRODUCTION

The Introduction offers the reader a glimpse into the Sex Offender Registration and Notification Act (SORNA), the 2006 federal law that prompted the authors' decision to create the Snapshot. This section also begins to frame the issues arising from the expansion of sex offender registration and notification laws to children. Lastly, the Introduction segues to the History and Origins of sex offender registration and notification laws, providing the reader with a look at the evolution of such laws from 1989 to the present.

Passed by the United States Congress in 2006, the Sex Offender Registration and Notification Act (SORNA) provides a set of federal guidelines that will require jurisdictions to drastically change their sex offender registration and notification systems. Among these significant changes, SORNA requires juveniles adjudicated delinquent of certain serious sexual offenses to be treated in the same manner as adult sex offenders. Children must register with local law enforcement and their personal identifying information can be released to the public.

Jurisdictions that do not comply with SORNA risk losing a percentage of their federal anti-crime funding. However, fiscal studies indicate that jurisdictions will have to pay far more to implement SORNA than they will receive in federal funding.[1] In fact, some states are hesitant to implement SORNA for this very reason.

SORNA represents the first time in the nearly twenty-year history of sex offender registries that a law has placed such an enormous fiscal burden on state budgets and specifically included children on a national, public registry. Among other measures, SORNA:

SUBJECTS children to full registration and notification. The SORNA Guidelines mandate that youth register, if prosecuted and convicted as adults or if adjudicated delinquent as juveniles, for a sex offense comparable to or more serious than "aggravated sexual abuse."

ESTABLISHES a new federal and state criminal offense for "Failure to Register" that is punishable by a term of imprisonment.

BROADENS the range of registerable sexual offenses.

IMPOSES an offense-based registration; eliminates judicial discretion and risk assessment of individuals required to register.

CREATES three tiers of registration with Tier III requiring lifetime registration and notification. This new system also makes changes in the required minimum duration of registration and establishes a Tier system based on offense of conviction or adjudication.[2]

> **Tier 1:** Includes people convicted of whatever offenses do not support a higher classification, such as misdemeanor registration offenses and possession of child pornography. People on Tier 1 must register for a minimum of fifteen years and must update their registration annually.[3]
>
> **Tier 2:** Includes people convicted of most felonious sexual abuse or sexual exploitation offenses involving victims who are minors. People on Tier 2 must register for a minimum of twenty-five years and must update their registration every six months.
>
> **Tier 3:** Includes individuals convicted of sexual assaults involving sexual acts regardless of victim age, sexual contact offenses against children below the age of thirteen, nonparental kidnapping of minors, and attempts or conspiracies to commit such offenses. Nearly all individuals that come onto the registry for a juvenile offense will fall into Tier 3. Individuals in Tier 3 must register for life and must update their registration every three months.

APPLIES retroactively. Individuals adjudicated delinquent or convicted of a sex offense prior to SORNA's passage are subject to SORNA's registration requirements if (a) they are currently registering, (b) under supervision or incarcerated, or (c) if the offender re-enters the system because of a new felony conviction whether or not the new crime is a sex offense.

EXPANDS the requirements of registration & community notification:

- Requires individuals to register and keep their registration current in the jurisdictions where they reside, work, and attend school.
- Requires individuals to provide more extensive registration information, including photos.
- Requires individuals to make periodic in-person appearances to verify and update their registration information.
- Greatly expands the amount of information available to the public regarding people on the registry.

DESIGNS a national online registry – a web site searchable by anyone, anywhere.

Few types of crimes have commanded the same public attention and evoked the same level of outrage as sexual offenses. This public animosity for individuals accused of sexual offenses is reflected in the unique handling of sex offenses by both federal and state legislative bodies. The most obvious example of dissimilar legislative treatment is the rapid proliferation of federal registration, community notification, and residency restriction laws imposed on sex offenders when they are released back into local communities.

Policies aimed at preventing sexual violence have been driven by sensationalized media accounts of crimes that have a sexual component, as well as the general public's visceral emotional reaction to reported crimes. As a result, millions of dollars of state and federal resources support registries, despite the fact that research *does not* show if these systems *actually* affect the number or type of sex crimes committed. What we *do know,* however, is that these registries consume public resources, divert law enforcement attention, and may, in fact, be funded at the expense of alternative approaches that research suggests would actually reduce sexual violence in our communities. SORNA requires states to register more people and keep track of them for even longer periods of time, without the availability of sufficient federal funding.

Before the Adam Walsh Act was passed by Congress in 2006, Representative Robert Scott (D-VA) expressed his anguish to colleagues for the haste with which the Act was legislated. Representative Scott stated:

> The crimes committed against the children named in the bill, those not named, and the suffering of their families is a tragedy for all of us, yet this does not release us from the responsibility to legislate on a sound and reasoned basis. I believe the situation is serious and grave enough to warrant a bill that is based on approaches that have been proven to reduce this scourge in our society, not on sound bites that will merely pander to our emotions.[4]

Data shows that the over-inclusive, offense-based design of SORNA is an extremely poor method of protecting the public from "vicious attacks by violent sexual predators."[5] In practice, the poor predictive quality of SORNA may be more harmful to the public than it is protective, creating a false sense of security and exhausting valuable resources and limited manpower on tracking the "wrong offenders"; that is, individuals not likely to ever reoffend sexually.[6]

The Application of Legislation Designed to Track Adult Sex Offenders to Children

Registration and community notification laws were developed in response to several tragic, high-profile cases where young children were kidnapped, sexually assaulted, and, in some cases, murdered.[7] The intended purpose of SORNA is to prevent other children from becoming victims of sexual assault.[8] However, research showing that registration and notification laws are successful in preventing future sex crimes is markedly absent. The effects of these laws on juveniles and other low risk offenders may do more harm than good.[9, 10]

Several states apply judicial discretion when deciding whether a child must register and to determine whether a child's personal information and photograph should be made available on public web sites. Under SORNA, our children will become subject to the strictest sex offender registration and notification requirements in United States and world history. The SORNA Guidelines require that children and adolescents be placed on the same registries with adults, conceivably placing their "awkward pubescent mug shots among those of adult felons."[11] Notably, many young offenders could be banned from public parks, movie theaters and even schools. Fliers detailing some childrens' offenses and identifying information will be mailed out to their neighbors. Some youthful offenders will be required to register publicly as sex offenders for the rest of their lives.

Fear and fallacy, rather than reality and empirical evidence, drove the expansion of sex registration and community notification laws to include children

Rather than rational, logical, and intelligent discussion – fear, anger, and misunderstanding have driven the impassioned legislation behind SORNA's inclusion of children adjudicated delinquent of sex offenses. There has been no cogent dialogue regarding the efficacy and constitutionality of sex offender registration and notification laws. When it comes to sex offender legislation, myths and misconceptions about sexual offending, especially juvenile sexual offending behavior, have misguided our system of democracy and chilled the usual political and judicial protections that guide the legislative process.

A review of the legislative history of the Adam Walsh Act reveals little about Congress's rationale for its dramatic departure from the Wetterling Act[12] and Megan's Law's treatment of child offenders.[13] Supporters of the bill[14] unfailingly spoke about how its passage was critical to protecting the nation's children. Missing from the record was any explanation of how the bill would actually protect communities from child predators.[15]

In June 2005, the U.S. House Subcommittee on Crime, Terrorism and Homeland Security held three hearings to discuss proposed bills and develop a consensus on the need for a national sex offender registry and notification system. Nearly a year later, on March 8, 2006, the House of Representatives held a 40-minute discussion on the Adam Walsh Act and passed it on a suspended calendar, meaning that there were no hearings, amendments, or committee markups on the bill.[16] No experts were invited to testify for or against the Adam Walsh Act in its entirety. This lack of due diligence frustrated some of the Congressman on Capitol Hill who have extensive knowledge on criminal and juvenile justice policy. During the March 2006 discussion, Representative John Conyers (D-MI) noted that "this legislation, all 164 pages, has managed to completely circumvent the traditional legislative process."[17] In a July 2006 discussion on the Act, Representative Scott (D-VA) avowed that "unlike most of my colleagues we will hear from today, I believe that we can do better than this bill to effectively address the scourge of child sexual assault."[18] President Bush signed The Adam Walsh Act into law on July 27, 2006.

Regretfully, an examination of the legislative history of the Adam Walsh Act reveals that several members of Congress based their support of this bill on inaccurate data. In their "efforts to protect children," lawmakers misinformed their peers that individuals convicted of sex offenses are more serious offenders because of their propensity to re-offend. The relevant statistical data actually indicates the contrary: people convicted of sex offenses have *one of the lowest recidivism rates of any group,* yet policymakers cling to the myth that people convicted of sex offenses have one of the highest recidivism rates of any group.[19] Among the sensationalized soundbytes readily repeated tojustify the passage of SORNA:

- Attorney General Charlie Crist of Florida testified, "[t]he experts tell us that someone who has molested a child will do it again and again."[20]
- U.S. Representative Ric Keller (R-FL) noted that "[t]he best way to protect children is to keep child predators locked up in the first place, because someone who has molested a child will do it again and again and again."[21]
- Ernie Allen, President and CEO of the National Center for Missing and Exploited Children testified that "[s]ex offenders represent the highest risk of re-offense."[22]

Contrary to these policymakers' assertions, research demonstrates that individuals convicted of sexual offenses do not inevitably commit new sex offenses.

In 1998, researchers Hanson and Bussiere did a meta-analysis of sixty-one separate studies on patterns of recidivism for people convicted of sex offenses. They concluded that 13.4 % of the 23,393 individuals in the study committed a new sexual offense.[23] Large-scale studies of recidivism find that recidivism rates of convicted sex offenders released from prison (13.4%) are significantly lower than those of non-sexual offenses (67%).[24]

Empirical evidence shows that registration and notification of juvenile sex offenders does not have a significant influence on recidivism rates

Even more compelling, the recidivism rates of children adjudicated delinquent of sexual offenses are even lower. Subjecting juveniles to long term registration and notification policies fails to improve community safety.

Does Juvenile Sex Offending Predict Adult Sex Offending?

The short answer is "No."[25] *Empirically rigorous studies consistently fail to find a relationship between juvenile sex crimes and adult sex crimes.*[26] Consequently, legal policies that target juvenile sex offenders have limited, if any, capability to reduce potential future sex crimes. The available literature indicates that registration and notification of juvenile sex offenders neither deters initial sex crimes by previous non-offenders,[27] nor has a significant influence on recidivism of known juvenile sex offenders.[28]

A Recent Study Shows that the Recidivism Rate of Juveniles Adjudicated Delinquent of Sexual Offenses is ***Lower than One Percent.***

In a recent study by Dr. Elizabeth LeTourneau, registered and nonregistered male youth were matched on year of index offense, age at index offense, race, prior person offenses, prior nonperson offenses, and type of index sexual offense (111 matched pairs). Recidivism was assessed across an average 4-year follow-up. *The sexual offense reconviction rate was less than 1%* (just two events for 222 youth), too low to support between-groups analyses.[29] More compelling, the nonsexual violent offense re-adjudication did not differ between registered and nonregistered juveniles. This study showed that SORNA-like registration systems[30] failed to influence sexual and nonsexual violent recidivism rates in both studies.

The studies compiled by University of California-Berkeley Professor of Law Franklin E. Zimring explored whether juvenile sexual offenders continue to commit sexual offenses into adulthood. The empirical data revealed that over 92% of all individuals who committed a sex offense as a juvenile did not commit another sex offense.[31] Children tend to mature out of sexual offending behavior and are not likely to commit another sexual offense.

There is a big difference between the sex offender legislation passed in the early 1990's and the new federal law. SORNA's expansion to children adjudicated delinquent is a significant departure from earlier legislative attempts to reduce instances of sexual assault. For all intended purposes, SORNA expanded the definition of a "criminal conviction" to include an "adjudication of delinquency" of a child. The treatment of children as smaller, younger versions of adult sexual offenders is predominately based on the misconception that children have the same propensity to reoffend as their adult counterparts. That is, it is wrongly assumed that children and adolescents are on a singular trajectory to becoming adult sexual offenders.[32]

Children adjudicated delinquent of a sexual offense should not be subjected to registration. Long-term registration based on a youth's adjudication offense fails to identify high risk youth, fails to reduce sexual or violent recidivism, fails to deter first-time juvenile sex crimes, and influences judicial case processing in ways that might actually impair community safety. Moreover, youth who are labeled for life as sex offenders will face innumerable barriers to successful prosocial development. These children may face public notification and collateral consequences such as residency restrictions and even restrictions on attending public schools based solely on their registration status.

The main goal of this survey is to provide a comprehensive reference guide to the various juvenile sex offender registration systems employed in the United States. Additionally, it is our hope that this compilation of laws will highlight the gaps in our knowledge about child and adolescent sexual offending behavior. The Snapshot will serve as a critical first step to further the dialogue on the practicality, utility and constitutionality of expanding sex offender registration laws designed to track adult offenders to children.

It is the expectation of the authors that the Snapshot will help create a platform – or at least a starting point – for informed proposals for reform in Federal and State juvenile sex offender legislation and policies.

HISTORY AND ORIGINS OF SEX OFFENDER REGISTRY LAWS

This section traces the development of federal sex offender registration and notification laws in the United States. This history demonstrates the hasty process by which children were incorporated into the registration and notification laws originally created for certain adult convicted sex offenders.

The federalization of sex offender registration and notification laws in the United States was inspired by a small number of particularly heinous, high profile offenses against women and children in the 1980's and 1990's. Federal lawmakers seized upon politically popular issues and committed themselves to "protecting children from violent sexual predators."[33, 34]

Sex Offender Registration and Notification Laws

The state systems legislated in the 1990's, and presently enforced, are a mix of *two* different methods for identifying and tracking persons convicted of sex crimes: 1) a registration requirement, and, 2) a community notification system.

As originally defined by federal statutes, registration and notification were distinct law enforcement tools. Registration was required for certain adult sex offenders while community notification was reserved for specific offenders classified as being at a high risk to reoffend. Over the past decade, the distinction between registration requirements and notification procedures has blurred considerably. Today, most notification systems publicly identify all registrants, regardless of individual risk classifications. This makes the entire registry public by way of the internet, rather than reserving public internet notification only for individuals identified to be at a high risk to reoffend. Registration was originally designed to enable law enforcement officials to track the residence and activities of dangerous adult sex offenders after their release into the community.

The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act

The first federal sex offender registration law was passed in 1994. *The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act* ("Wetterling Act") was passed in response to the 1989 abduction of an 11-year old boy in St. Joseph, Minnesota. An unknown man abducted Jacob Wetterling while he was riding his bike; Jacob is still missing.[35]

While the police conducted their investigation into Jacob's disappearance, his mother asked detectives what would have helped them find her son. Police investigators said that it would have helped to know what *type* of offenders were living in the area. Patty Wetterling, determined to give law enforcement every possible tool to track down her child's abductor, began pushing for a sex offender law in the State of Minnesota and soon managed to get a local registration law passed in the state. In 1994, Congress made the Wetterling Act a federal law.

The Wetterling Act marked the first attempt by the Federal Government to require and control state sex offender registration systems.[36] To encourage compliance with the Act, Congress conditioned states' receipt of federal anti-crime funds on the implementation of sex offender registries.

The Act directed the United States Attorney General to establish a national database of sex offenders within the Federal Bureau of Investigation (FBI), to be maintained and accessed by law enforcement agencies. The registry was intended to aid law

enforcement agencies in their investigation of sexual crimes and child abductions, allowing for easy identification of the 'usual suspects'[37] and selective distribution of information to the public when necessary.

Megan's Law and The Pam Lychner Sexual Violent Offender Tracking and Identification Act

In 1996, Congress passed *Megan's Law* and the *Pam Lychner Sexual Violent Offender Tracking and Identification Act.* These federal laws amended the Wetterling Act by encouraging states to develop community notification procedures and provide easily accessible information about convicted sex offenders to the public.

Megan's Law gives discretion to the states to establish criteria for public disclosure, but compels them to make specific information about registered sex offenders available to the public. When President Clinton signed Megan's Law in 1996, the federal government reasoned that such public notification would: (1) assist law enforcement in investigations, (2) establish legal grounds to detain known sexual offenders, (3) deter sex offenders from committing new offenses, and, (4) offer communities information they could use to protect children from victimization.[38] The adoption of Megan's Law highlights the shift away from the narrower and more precise registration systems of the past, to the more widely cast nets of community notification in place today.

Congress passed Megan's Law in response to the abduction and murder of seven-year old New Jersey resident Megan Kanka. Megan's adult attacker, previously convicted of child molestation, lived near her home in a community release program. In testimony before Congress, Megan's parents, Richard and Maureen Kanka, asserted that they would have been more vigilant had they known about the offenders' presence.

Sex Offender Community Notification Laws

Historically, community notification requirements applied only to individuals identified as "potentially dangerous sex offenders."[39] However, community notification systems proliferated rapidly after the passage of Megan's Law. Often referred to as "public registration," community notification consists of a publicly accessible registry that allows private citizens to access identifying information about convicted sex offenders. Some form of community notification for adult sex offenders has been present in all fifty States and the District of Columbia since 1996.

Amendments to Community Notification Laws

The second amendment to the Wetterling Act was the *Pam Lyncher Sexual Offender Tracking and Identification Act of 1996.* Pam Lyncher was a 31-year old woman who was attacked by a previously convicted adult sexual offender in Houston, Texas. The Pam Lychner Act provided for a national database to track sex offenders and subjected those convicted of an aggravated sex offense or multiple registerable sex offenses to lifetime registration and notification requirements. The Act further amended the scope of community notification and required the Federal Bureau of Investigation (FBI) to develop a national database of names and addresses of certain convicted sex offenders released from prison. The Lychner Act broadened the tracking of sexual offenders beyond the state level, linking the states with a national registry. Currently, there are over 720,000 registered sex offenders in the United States.[40]

The Adam Walsh Child Protection and Safety Act of 2006

In an effort to standardize registration systems, the federal government passed the Adam Walsh Child Protection and Safety Act ("Adam Walsh Act") in July 2006. This law was passed in response to the high profile 1981 abduction and murder of Adam Walsh, the six-year old son of America's Most Wanted host John Walsh.[41]

Title I of the Adam Walsh Act, the Sex Offender Registration and Notification Act ("SORNA"), contains the registration and notification provisions discussed herein. SORNA provides a set of federal guidelines directing the states, the District of Columbia, principal U.S. Territories, and federally recognized tribal territories to expand the breadth of registration and notification laws.[42] Most notably under SORNA, juveniles adjudicated delinquent of certain serious sexual offenses are treated in the same manner as adult sex offenders, and must register with local law enforcement.

SORNA originally gave jurisdictions three years from the date the Act was signed by President Bush, July 27, 2006, to comply with the provisions set forth in SORNA. The initial deadline for states to comply was July 27, 2009. In May 2009, the deadline was extended to July 2010 when US Attorney General Eric Holder issued a one-year blanket extension delaying implementation date of SORNA to give states and the federal government additional time to work out the problems with the Act. Nearly five years after the Act was signed into law, no jurisdiction has *completely* implemented SORNA; only twelve jurisdictions have "substantially" implemented the law.[43] The new deadline for state compliance is July 27, 2011. With less than a year before the final deadline, several states have signaled that they still are unable to implement SORNA. States that fail to comply with the Federal SORNA in a timely manner will forfeit 10% of their Byrne Memorial Justice Assistance Grant (JAG) Omnibus Crime federal funding.

WHICH STATES POST PICTURES OF CHILDREN ON THEIR SEX OFFENDER PUBLIC WEBSITES?

At this time, notification by posting photographs on the Web depends on many different—and difficult to ascertain—factors. Some jurisdictions do not post the picture of juveniles unless they re-offend sexually; others post the image of a child on the Web for a lifetime.

"Sex offender public notification" is the distribution of private and public information regarding sex offenders to citizens and their surrounding communities. Public notification laws have evolved over time since the passage of Megan's Law in 1996. Jurisdictions mandate that law enforcement agents notify the public about certain sex offenders in their communities. One method of notification is through publicly accessible Web sites. A 2007 study by Brenda V. Smith, a law professor and the director of the National Institute of Corrections Project on Addressing Prison Rape at American University's Washington College of Law, revealed that at least twenty-five states apply public internet community notification to juveniles. "That means on many state sex-offender Web sites, you can find juveniles' photos, names and addresses, and in some cases their birth dates and maps to their homes, alongside those of pedophiles and adult rapists."

One study about the implications of registration laws on juvenile sex offenders supports these and other concerns, noting that "registration statutes…harm youth more than they provide safety to the community." Concern about the potential for collateral consequences—as well as a growing awareness of empirical studies and literature about child sexual offending behavior—has prompted some states to develop specialized approaches to registration and notification for juvenile offenders.

Among states that do include juveniles in community notification laws, there is little consistency in terms of who is eligible and for how long. Some jurisdictions allow judicial discretion on whether to include juveniles or to permit youths to petition for removal after a number of years. In some states, a juvenile has to be 14 to be listed on public sex-offender registries; in others, they may be eligible at 10 or 12.

The Supplemental Guidelines, issued on January 11, 2011 by the United States Department of Justice, modified certain features of the SORNA Final Guidelines to make a change required by the KIDS Act and to address other issues arising in jurisdictions' implementation of the SORNA requirements. After receiving hundreds of public comments criticizing the juvenile provisions of SORNA, United States Attorney General Eric Holder created a discretionary exemption for internet posting of juveniles.

To reiterate, the Supplemental Guidelines released in January 2011 provide that there is no remaining requirement under SORNA that jurisdictions engage in any form of public disclosure or notification regarding juvenile delinquent sex offenders. Unfortunately, "SORNA provides a floor, not a ceiling" and jurisdictions continue to require the website posting of juveniles to a greater extent than required by the Act.

Sources

Janis F. Bremer, *Juveniles, Rehabilitation, and Sex Offenses: Changing Laws and Changing Treatment,* 29 Wm. Mitchell L. Rev. 1343, 1346 (2003).

Understanding Juvenile Sexual Offending Behavior: Emerging research, treatment approaches, and management practices (1999), http://www.csom.org/pubs/juvbrf10.pdf.

Public Comments to the Supplemental Guidelines for the Sex Offender Registration and Notification Act (SORNA), Dept' of Justice: Office of the Attorney General, OAG Docket No. 134, AG Order No. 3150-2010.

Sex Offender Registration and Notification Act Substantial Implementation Checklist, U.S. Dept. of Justice Office of Justice Programs, http://www.ojp.usdoj.gov/smart/pdfs/sorna_checklist.pdf.

Maggie Jones, *How Can You Distinguish a Budding Pedophile From a Kid With Real Boundary Problems?,* New York Times Magazine, July 22, 2007, cover story (interviewing Brenda V. Smith, author of *Breaking the Code of Silence: A Correction Officer's Handook on Identifying and Addressing Staff Sexual Misconduct with Offenders).*

Scott Matson & Roxanne Lieb, *Community Notification in Washington State: 1996 Survey of Law Enforcement,* Wa. State Inst. for Pub. Policy (1996), http://www.wsipp.wa.gov/rptfiles/sle.pdf.

Brenda V. Smith & Jaime M. Yarussi, Breaking the Code of Silence: A Correction Officer's Handbook on Identifying and Addressing Staff Sexual Misconduct with Offenders, Dep't. of Justice: Natl. Inst. of Corrections Project on Addressing Prison Rape, D.C. (2007).

United States v. Juvenile Male, 590 F.3d 924, 928 (9th Cir. Mont. 2010), *question certified by United States v. Juvenile Male,* 130 S. Ct. 2518 (2010), *vacated by, remanded by United States v. Juvenile,* 2011 U.S. LEXIS 4799 (U.S., June 27, 2011).

SECTION I ENDNOTES

[1] Justice Policy Inst., Registering Harm: How Sex Offense Registries Fail Youth Communities (n.d.), *available at* http://www.justicepolicy.org/research/1939.

[2] The National Guidelines for Sex Offender Registration and Notification, 73 Fed. Reg. 38030, 38041-42 (July 2, 2008).

[3] SORNA allows jurisdictions to reduce the registration period for a person on Tier I by five years after he or she maintains a clean record for ten years, and to terminate registration for a person who is required to register under SORNA based on juvenile delinquency adjudication after he or she maintains a clean record for twenty-five years. 42 U.S.C. § 16915 (LexisNexis 2011).

[4] 152 Cong. Rec. H5723-24 (2006) (statement of Rep. Robert Scott).

[5] "Vicious attacks by violent sexual predators" is the term used in 42 U.S.C. § 16901:

"**Declaration of Purpose.** In order to protect the public from sex offenders and offenders against children, and in response to the *vicious attacks by violent predators* against the victims listed below, Congress in this chapter establishes a comprehensive national system for the registration of those offenders."
(emphasis added).

[6] *See, e.g.,* Research and Evaluation Unit, N.J. Dep't of Corr. Megan's Law: Assessing the Practical and Monetary Efficacy 1-2 (2009), http://www.ncjrs.gov/pdffiles1/nij/grants/225370.pdf (concluding that Megan's Law did not reduce the number or type of sexual reoffenses).

[7] Valerie Anderson, Application of Mandatory Registration and Notification Laws to Juvenile Sex Offenders (Mar. 26, 2010) (unpublished manuscript) (on file with author).

[8] The National Guidelines for Sex Offender Registration and Notification, 73 Fed. Reg. 38030, 38046 (July 2, 2008).

[9] *See* Research and Evaluation Unit, *supra,* at 1-2.

[10] *See* Valerie Anderson, Application of Mandatory Registration and Notification Laws to Juvenile Sex Offenders (Mar. 26, 2010) (unpublished manuscript) (on file with author).

[11] Abigail Goldman, *Young, But 'Predators' for Life: New Sex Offender Laws, Meant to Protect, May Instead Ruin Lives and Increase Risks,* The Las Vegas Sun, (Jan. 6, 2008 12:00 AM), http://www.lasvegassun.com/news/2008/jan/06/young-but-predators-for-life/.

[12] *See Infra.*

[13] Valerie Anderson, Application of Mandatory Registration and Notification Laws to Juvenile Sex Offenders (Mar. 26, 2010) (unpublished manuscript) (on file with author).

[14] The Adam Walsh Child Protection and Safety Act (H.R. 4472) is the bill introduced to the U.S. House that included SORNA.

[15] Justice Policy Inst., Registering Harm: How Sex Offense Registries Fail Youth Communities (n.d.), *available at* http://www.justicepolicy.org/research/1939.

[16] 152 Cong. Rec. H657 (2006).

[17] 152 Cong. Rec. H677 (2006) (statement of Rep. John Conyers).

[18] 152 Cong. Rec. H5723-24 (2006) (statement of Rep. Robert Scott).

[19] Justice Policy Inst., Registering Harm: How Sex Offense Registries Fail Youth Communities 12 (n.d.), *available at* http://www.justicepolicy.org/research/1939.

[20] *Id.* (quoting *Protection Against Sexual Exploitation of Children Act of 2005, and the Prevention and Deterrence of Crimes Against Children Act of 2005, Hearing on H.R. 2138 and H.R. 2388 Before the Subcomm. on Crime, Terrorism, and Homeland Security of the H. Comm. on the Judiciary,* 109th Cong. 12 (2005)).

[21] *Hearing Before the Subcomm. on Crime, Terrorism, and Homeland Security of the Comm. on the Judiciary,* 109th Cong.

[22] *Id.* (quoting *Protecting Our Nation's Children from Sexual Predators and Violent Criminals: What Needs to be Done?, Hearing Before the Subcomm. on Crime, Terrorism, and Homeland Sec. of the H. Comm. on the Judiciary,* 109th Cong. 14 (2005)).

[23] *Id.* (citing R. Karl Hanson & Monique T. Bussière, *Predicting Relapse: A Meta-Analysis of Sexual Offender Recidivism Studies,* 66 J. Consulting & Clinical Psychol. 348 (1998)).

[24] Patrick A. Langan and David J. Levin, Bureau of Justice Statistics, Recidivism of Prisoners Released in 1994 (2002), *available at* http://bjs.ojp.usdoj.gov/content/pub/pdf/rpr94.pdf.

[25] E.J. Letourneau, et al., Recidivism rates for registered and nonregistered juvenile sexual offenders, 20 Sexual Abuse: A Journal of Research and Treatment, 393-408 (2008).

[26] F.E. Zimring, et al., Sexual delinquency in Racine: Does early sex offending predict later sex offending in youth and young adulthood?, 6 Criminology and Public Policy, 507-34 (2007).

[27] E.J. Letourneau, et al., Recidivism rates for registered and nonregistered juvenile sexual offenders, 20 Sexual Abuse: A Journal of Research and Treatment, 393-408 (2008).

[28] F.E. Zimring, et al., Sexual delinquency in Racine: Does early sex offending predict later sex offending in youth and young adulthood?, 6 Criminology and Public Policy, 507-34 (2007); E.J. Letourneau, et al., Recidivism rates for registered and nonregistered juvenile sexual offenders, 20 Sexual Abuse: A Journal of Research and Treatment, 393-408 (2008).

[29] F.E. Zimring, et al., Sexual delinquency in Racine: Does early sex offending predict later sex offending in youth and young adulthood?, 6 Criminology and Public Policy, 507-34 (2007).

[30] South Carolina's current registration system (SORN) is as harsh, if not harsher, than SORNA.

[31] F.E. Zimring, *The Predictive Power of Juvenile Sex Offending: Evidence from the Second Philadelphia Birth Cohort Study* (December 2006) (citing T. Sellin & M. Wolfgang, The Measurement of Delinquency (1964); G. Sykes The Society of Captives (1958); P. Tracy, M. Wolfgang & R. Figlio. Delinquency in a Birth Cohort II: A Comparison of the 1945 and 1958 Philadelphia Birth Cohorts (1984); M. Wolfgang, R. Figlio & T. Sellin. Delinquency in a Birth Cohort (1972)).

[32] *"Don't shoot, we're your children": Have we gone too far in our response to adolescent sexual abusers and children with sexual behavior problems?,* 3 Child Maltreatment 4, 314-316 (M. Chaffin & B. Bonner eds.) (1998).

[33] 42 U.S.C.S. § 16901 (LexisNexis 2011).

[34] Frank C. DiCataldo, The Perversion of Youth: Controversies in the Assessment and Treatment of Juvenile Sex Offenders 7-10 (2009).

[35] *Id.* at 205.

[36] *Id.*

[37] Franklin E. Zimring, An American Travesty: Legal Responses to Adolescent Sexual Offending 144-45 (2004).

[38] Megan's Law, Registered Sex Offenders and Background Checks, http://www.about-megans-law.com/.

[39] Frank C. DiCataldo, The Perversion of Youth: Controversies in the Assessment and Treatment of Juvenile Sex Offenders (2009).

[40] *State or Territory Sex Offender Registries - States and PR,* U.S. Census Bureau (July 2009); *Estimates Territories: Central Intelligence Agency,* World Fact Book (2010); *Estimates,* National Center for Missing & Exploited Children (NCMEC) (July 2010).

[41] Adam Walsh Child Protection and Safety Act of 2006, Pub. L. No. 109-248, § 2, 120 Stat. 589 (2006).

[42] 42 U.S.C. § 16912 (LexisNexis 2011).

[43] The 12 jurisdictions deemed to be in "substantial compliance" with SORNA as of June 10, 2011 are as follows: **States:** Delaware, Florida, Michigan, Nevada, Ohio, South Dakota, and Wyoming; **Tribes:** The Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes and Bands of the Yakama Nation, the Chippewa Indians, and the Grand Traverse Band of Ottawa in Michigan; **U.S. Territories:** Guam. *See* Justice Department Announces Four More Jurisdictions Implement Sex Offender Registration and Notification Act, **Office of Justice Programs Press Releases,** May 12, 2011, http://www.ojp.usdoj.gov/smart/pressreleases.htm.

THE ADAM WALSH ACT: SEX OFFENDER REGISTRATION AND NOTIFICATION ACT (SORNA)

Nearly five years after the passage of the Adam Walsh Child Protection and Safety Act, a mere seven states have been deemed to be in compliance with SORNA.

While a few states rushed to amend their sex offender laws to comply with SORNA, many states have considered not adopting SORNA at all. State officials have expressed a concern that this overreaching system of registration and notification ignores the very foundation of this country's juvenile court system: a belief, confirmed by scientific research, that children can and should be rehabilitated. The overly-wide net cast by SORNA also dilutes the effectiveness of the registry as a public safety tool – flooding it with thousands of juvenile offenders, the vast majority of whom will never commit another sex offense.

This section highlights some reasons why juvenile portions of SORNA have been declared to be unconstitutional by both state and federal courts and cannot be implemented in several jurisdictions at this time. We hope this section will act as a useful tool as legislators continue to discuss how, if at all, juveniles should be included in the Federal SORNA legislation.

Title I of the Adam Walsh Act, the Sex Offender Registration and Notification Act ("SORNA"), contains the registration and notification regulations discussed herein. SORNA establishes federal guidelines directing the states, the District of Columbia, principal U.S. territories, and federally-recognized tribal territories to expand the breadth of registration and notification laws. Compliance with SORNA will require jurisdictions to implement drastically different sex offender registration and notification systems. Compliance requires the expansion of state registries and notification systems to: retroactively include children, increase the number of offenses for which registration is required, require registered offenders to keep their information current in each jurisdiction in which they reside, work, and attend school, and reclassify the risk level of each sex offender based solely on the crime of conviction or adjudication. States that fail to comply with SORNA will forfeit 10% of their Omnibus Crime federal funding.[1]

Ultimately, Congress concluded that "the patchwork of standards that had resulted from piecemeal amendments should be replaced with a comprehensive new set of standards—the SORNA reforms—that would close potential gaps and loopholes under the old law, and generally strengthen the nationwide network of sex offender registration and notification programs."[2] Although the goal of the Adam Walsh Act was to increase public safety, no empirical examinations have proven that SORNA effectively protects communities from instances of sexual assault.

Switching from a Risk Assessment-Based System to an Offense-Based Registration System only makes it More Difficult to Identify Registered Sex Offenders who are More Likely to Reoffend

The SORNA Guidelines require jurisdictions to eliminate the use of risk assessment tools to help identify those offenders who are likely to reoffend. Instead jurisdictions are required to use *crime of conviction or adjudication* as the sole means to classify offenders. This requirement has been put in place despite a lack of empirical research supporting *crime of conviction or adjudication* as predicting likelihood of recidivism.

SORNA's offense-based tier system is an extremely faulty alternative to an actuarial risk-based classification. Decisions about risk of reoffense should not be based exclusively on any one factor or assessment. Results from actuarial assessments, such as the J-SOAP-II,[3] should always be used as part of a comprehensive risk assessment analysis. Similarly, there is no clarity as to whether a single conviction or adjudication justifies the extraordinary application of sex offender registration and notification requirements on children and adolescents.[4] Many state justice officials fear that the "one-size-fits-all," offense-based registration system imposed by SORNA will place low-risk offenders on the registry with high-risk predators, diluting the effectiveness and ultimately circumventing the purpose of the registry.[5]

When assessing risk with sex offenders in general, and with juveniles in particular, the stakes are often very high. In assessing the risk posed by a juvenile, we have an enormous burden of responsibility.[6] Decisions based on evaluations can have a profound impact, possibly resulting in severe, life-altering consequences for low-risk youths.

Individuals convicted or adjudicated of sex offenses differ greatly in their level of impulsiveness, persistence, risk to the community, and individual desire to change their deviant behavior. It is imperative that professionals assessing the risk of adolescent sexual offending be well versed in the unique challenges involved in assessing this population. Unlike adults, adolescents are still very much "in flux."[7] No aspect of their development, including their cognitive development, is fixed or stable. In addition, their life circumstances are often very unstable. In a very real sense, we are trying to assess the risk of "moving targets."[8] Assigning sex offender tiers based on crime of conviction tells us very little about an individual's realistic risk for re-offense.[9] SORNA's offense-based design adds more nonviolent offenders to the registry (many added retroactively for convictions from years, even decades, ago). While the sex offender registration database grows exponentially, funding for monitoring sex offenders is on the decline. Fewer officers monitoring more people will lead to a dramatic, and foreseeable, drop in community safety.

Data shows that the current design of SORNA, as it applies to juvenile sexual offenders, is an extremely poor method of protecting the public from "vicious attacks by violent sexual predators."[10] In fact, the poor predictive quality of SORNA may be more harmful to the public than protective, creating a false sense of security and exhausting valuable resources and limited manpower on tracking the wrong offenders.[11]

By late-June 2011, twelve (12) of the 248 jurisdictions controlled by SORNA have been deemed in compliance with the federal SORNA Guidelines.[12] An analysis of the twelve jurisdictions deemed to be in substantial compliance with the Act provides no evidence of a move toward a "comprehensive" system of registration. In fact, jurisdictions that rushed to amend their sex offender laws to comply with SORNA are discovering that they have gone from bad to worse. They are left instead with a flawed law that does very little to increase public safety and is prohibitively costly to implement and maintain.[13]

Despite the explosion of these laws over the past twenty years, little work has been done to examine the effectiveness of registration and notification laws on sexual offense rates. SORNA is profoundly different from its predecessors. The nature and breadth of the registration and notification requirements of SORNA demand an examination of the efficacy of such laws for a number of reasons. First, the law imposes a huge financial burden on jurisdictions; second, the federal law subjects individuals as young as fourteen years old to lifetime registration and notification requirements.[14] Some jurisdictions have chosen to subject children younger than fourteen years old to SORNA. In the State of Delaware, there are approximately 639 children on the sex offender registry. Fifty-five of these children are UNDER the age of twelve. Delaware has a handful of children as young as nine years old registering as "sex offenders."

In the late 1980's and mid-1990's, the 'juvenile sex offender' was not a high priority in registration and notification legislation. The federal laws that set the standards for state registration and notification neither required nor prohibited juvenile registration. In 1996, some form of Megan's Law became a universal element of criminal justice in all fifty states.[15] However by the mid-1990's, around the time of the rise of the myth of the child "super-predator,"[16] many state sex offender registration laws were amended to include children adjudicated delinquent of sex offenses. The system that evolved arbitrarily classified children using the same criteria as adult sex offenders.

Critics have pointed out practical and normative problems with this political motivation and with some of these harsh policies, especially when applied to children.[17] In addition to fears of repeat offenders, recent decades have been marked by periods of intense media coverage of the "special threat" posed by juvenile delinquents. For example, presidential candidate Bob Dole famously pontificated during his 1996 campaign, "[u]nless something is done soon, some of today's newborns will become tomorrow's superpredators—merciless criminals capable of committing the most vicious of acts for the most trivial of reasons."[18] Popularized by scholars like John Dilulio, who coined the term "superpredator,"[19] youth involved in criminal activity were labeled as symbols of danger, and are responsible for compelling government intervention in the name of public safety. Until now, the most destructive myth about juvenile crime was the creation of the super-predator myth.[20] Criminologists suggested that "the rise in violent arrests of juveniles in the early 1990s would combine with a growing youth population to produce an extended crime epidemic."[21] This dire prediction proved inaccurate.[22] Juvenile crime rates began a steady decline beginning in 1994, reaching low levels not seen since the late 1970s. Like the misconceptions about juvenile sexual offending behavior[23], the "superpredator" myth was based in part on a misinterpretation of the research of Wolfgang, Figlio, and Sellin (1972), which found that "a small number of juveniles accounted for a large number of juvenile arrests." Overzealous criminologists applied this number to the entire growth in the youth population to manufacture inaccurate trends. Academic purveyors of the super-predator myth used overheated rhetoric to scare the public and incite politicians to exploit these mythologies to garner electoral support or to push through funding for their pet projects. The general public bought into these myths, as evidenced by numerous opinion polls illustrating the perception that juvenile crime rates were raging out of control.[24]

Similarly, since the passage of the Adam Walsh Act in 2006, numerous critics have witnessed the unintended and punitive consequences that result when children are enveloped in a law enforcement program designed for adults.

In a recent national survey on the barriers to SORNA implementation, commissioned by U.S. Senator Patrick Leahy (D-VT), the most commonly cited barrier to SORNA compliance listed by twenty-three states was the Act's juvenile registration and reporting requirements. SORNA expands the definition of a "conviction" to include children adjudicated delinquent on their sex offender registries and can subject them to the same public disclosure as their adult counterparts. Children adjudicated delinquent can now have their names, addresses, photographs, and even the name and address of the schools they attend made public. Previous sex offender legislation had allowed jurisdictions to decide for themselves how to treat juveniles adjudicated delinquent of sexual offenses.

Presently, the laws differ widely on registration and notification requirements for children adjudicated delinquent of sex offenses. There are over thirty state registration and notification systems covering juveniles. Sections IV, V, and IV of the Snapshot provide a detailed and comprehensive look at the registration and notification laws applied to children in the fifty states and the District of Columbia. The juvenile registration and notification systems run the gamut from states that treat juvenile adjudications like criminal convictions, states that have one registry for both adults and juveniles but use separate administrative procedures and registration and notification guidelines for children, and other states that use separate registration and notification laws for juveniles and adults.

Not only is there a wide variation in state juvenile registration requirements; the legislative intent among the laws is often unclear and tends to be interpreted inconsistently. To date, ten jurisdictions are silent on the question of whether juvenile adjudications fall within the purview of registration and notification sanctions. Different courts of equal jurisdiction in the same state have interpreted this legislative silence in vastly different ways, leading to profound uncertainty and unpredictability in the law.

Adding to this uncertainty, jurisdictions have begun to hastily introduce indiscriminate SORNA-esque legislation in a frantic effort to come into compliance with the SORNA Guidelines and to retain federal funding. This rush to amend local sex offender registration and notification laws has left jurisdictions with burdensome, over-inclusive registration systems that force states to legislate without regard to cost or resources spent and ignore empirical research on juvenile re-offending.

The mandatory expansion of registration and notification to include youth will trigger significant, harmful consequences to children adjudicated delinquent of sexual offenses. As a consequence of implementation, many children accused of sexual misconduct will be required to register personal information on publicly available internet websites. SORNA casts an overly-wide net that will engulf individuals not likely to ever reoffend, and forces children adjudicated delinquent of pubescent-like, exploratory behaviors often committed out of curiosity, to register for the rest of their lives.

Additionally, SORNA's retroactive reach will impose registration and notification restraints upon individuals who have since been rehabilitated and have not reoffended sexually. The retroactive application of SORNA's juvenile registration provisions will disparately affect people of all ages – not only juveniles. Thousands of the affected individuals will have been adjudicated delinquent years or even decades before SORNA's enactment, many of whom have gone on with their lives to build families, homes, and careers. For these rehabilitated individuals, sex offender registration and reporting will disrupt the stability of their lives and ostracize them from their communities by drawing attention to decades-old sex offenses committed as youths. The retroactive application of SORNA's registration and reporting provisions by former juvenile offenders imposes immense burdens, not only through onerous in-person registration and reporting requirements, but, more importantly, through the publication and dissemination of highly prejudicial juvenile adjudication records of individuals who have committed no offenses since their adolescence.[25]

Wide-Scale Registration and Community Notification of Sex Offenders is Unprecedented in the History of American Jurisprudence

No class of offender has been subject to such dramatic post-release requirements as contemporary "sex offenders." In a span of twelve years from 1994 to 2006, Congress passed four separate acts pertaining to the registration and notification of sexual offenders, each building on the restrictions of the last, without *any* examination of the laws' effectiveness on reducing incidents of sexual assault. Despite the absence of any empirical research into the efficacy of these requirements, SORNA sailed through Congress with nearly

unanimous support. The legislative history reveals that the Act was passed solely on the basis of the oft-repeated – and untested – premise that registries are the best way for communities to protect themselves from incidents of sexual violence.

In opposition to the Adam Walsh Act, Representative Robert Scott (D-VA) pointed out to his colleagues that "there are certainly no studies to show that [sex offender registration laws] have reduced by any measurable amounts the amount of child sexual abuse."[26] In fact, "[b]ecause the people who are the subject of [sex offender registration laws] are unable to get a job, unable to live in any kind of neighborhood, have nothing to lose … all of these things may in fact increase crime."[27]

SORNA Establishes a Whole New Brand of Sex Offender Registration and Notification Legislation, Placing Children on Registries for Sexual Misconduct

Early versions of the Adam Walsh Act applied only to individuals convicted as adults for sex offenses.[28] The Amie Zyla provision,[29] one of the final revisions to the Act, expanded the definition of a "sex offender" to include juveniles adjudicated delinquent of certain sexual offenses. Like Megan's Law and its progeny, the Zyla expansion was hastily passed by the United States Congress in response to a high profile sexual assault.[30]

This change did not just make it mandatory for jurisdictions to include children convicted in adult court on their sex offender registries; jurisdictions also had to retroactively extend registration and notification requirements to children whose cases were handled in family court before the Act's enactment.

Representative Scott, perhaps one of the most proficient U.S. Congressmen on juvenile justice issues, eloquently expressed the fault in requiring children to register as sex offenders. The Congressman stated that despite extensive research he had seen "no study that suggests that the policy of posting the name of juvenile delinquents, as [SORNA] does, on the Internet, serves any constructive purpose."[31] Congressman Scott astutely noted that research shows "programs and grants to assist children and to provide the type of sex offender treatment that studies have been shown that can [sic] cut recidivism in half are not in this bill."[32]

Before the passage of SORNA, at least thirty states required some form of public notification for juveniles adjudicated delinquent of certain sexual offenses. Some states list all sex offenders living in the community without categorizing them within various risk groups; many states classify the offenders by their level of risk according to an actuarial assessment instrument (e.g. two commonly used juvenile assessment instruments are the J-SOAP[33] and ERASOR.[34]) More frequently, however, jurisdictions are adopting a tiered classification system as they attempt to come into compliance with SORNA. SORNA requires a three-tier classification system of registration based solely on the crime for which the child was adjudicated delinquent, eliminating judicial discretion and risk assessment.

SECTION II ENDNOTES

[1] The National Guidelines for Sex Offender Registration and Notification, 73 Fed. Reg. 38030, 38047 (July 2, 2008); Office of Justice Programs, U.S. Dep't of Justice, SORNA Implementation Documents, doc #2 (2010), http://www.ojp.usdoj.gov/smart/pdfs/SORNA_ImplementationDocuments.pdf.

[2] The National Guidelines for Sex Offender Registration and Notification, 73 Fed. Reg. 38030, 38045 (July 2, 2008).

[3] Robert Prentky & Sue Righthand, Juvenile Sex Offender Assessment Protocol–II (J-SOAP-II) Manual (2003), *available at* http://www.ncjrs.gov/pdffiles1/ojjdp/202316.pdf. The *Juvenile Sex Offender Assessment Protocol-II (J-SOAP-II)* is a checklist whose purpose is to aid in the systematic review of risk factors that have been identified in the professional literature as being associated with sexual and criminal offending. It is designed to be used with boys in the age range of 12 to 18 who have been adjudicated for sexual offenses, as well as nonadjudicated youths with a history of sexually coercive behavior.

[4] Eric Janus, *Sex Offender Commitments and the "Inability to Control": Developing Legal Standards and a Behavioral Vocabulary for an Elusive Concept* in The Sexual Predator: Legal Issues, Clinical Issues, Special Situations (Anita Schlank ed., 2001).

[5] Laura Nicholes, *Unfunded Mandate: Sex Offender Registration Act Deadline Nears,* Texas Association of Counties (June 25, 2010), http://www.county.org/resources/legis/dynContView.asp?cid=465. At a June 10, 2010 Senate Criminal Justice Committee meeting convened to learn more about the impact SORNA might have in Texas, agencies such as the Texas Council on Sex Offender Treatment and the Department of Public Safety provided interesting testimony about the effectiveness of the current sex offender registry and the impact and potential costs of meeting the SORNA requirements. Committee Chairman John Whitmire "asked witnesses if 'the list has grown to such an extent that it really loses impact' and the answer was consistently 'yes'; Whitmire said 'sometimes less is more.'"

[6] Robert Prentky & Sue Righthand, Juvenile Sex Offender Assessment Protocol–II (J-SOAP-II) Manual 1 (2003); Sue Righthand et al., *Factor Structure and Validation of the Juvenile Sex Offender Assessment Protocol (J-SOAP),* 17 Sexual Abuse: J. Res. & Treatment 13 (2005).

[7] Robert Prentky & Sue Righthand, Juvenile Sex Offender Assessment Protocol–II (J-SOAP-II) Manual 1 (2003).

[8] *Id.*

[9] *Sex Offender Notification and Registration Act (SORNA): Barriers to Timely Compliance by States, Hearing Before the Subcomm. on Crime, Terrorism, and Homeland Security of the H. Comm. on the Judiciary,* 111th Cong. 91 (2009) (statement of Detective Robert Schilling).

[10] 42 U.S.C.S. § 16901 (LexisNexis 2011).

[11] Franklin E. Zimring et al., The Predictive Power of Juvenile Sex Offending: Evidence from the Second Philadelphia Birth Cohort Study 14 (June 21, 2007) (unpublished manuscript), *available at* http://ssrn.com/abstract=995918. Professor Zimring discussed the harm caused by including children on offense-based sex offender registries, and the startling lack of predictive power juvenile sex charges have in identifying further sexual offending:

> Might this registry be effective nonetheless by providing the police with a reliable group of potential suspects? The problem here would be that 92 percent of all the adult male sex offenders were never juvenile sex offenders so the registry would be a very poor predictive tool. If this juvenile registry was used to "round up the usual suspects," 49 persons would have been needlessly predicted as sexually dangerous for every truly dangerous person so concerned, and more than 92 percent of true offenders would not have been on the registry. That appears to be a poor prediction tool for police and prosecutors and a prediction made about adult sex recidivism risk that would be wrong about 98 percent of the time.

Id.

[12] The 12 jurisdictions deemed to be in "substantial compliance" with SORNA as of June 10, 2011 are as follows: **States:** Delaware, Florida, Michigan, Nevada, Ohio, South Dakota, and Wyoming; **Tribes:** The Confederated Tribes of the Umatilla Indian Reservation, and the Confederated Tribes and Bands of the Yakama Nation, the Chippewa Indians, and the Grand Traverse Band of Ottawa in Michigan; **U.S. Territories:** Guam. *See* Justice Department Announces Four More Jurisdictions Implement Sex Offender Registration and Notification Act, Office of Justice Programs Press Releases, May 12, 2011, http://www.ojp.usdoj.gov/smart/pressreleases.htm.

[13] *Sex Offender Laws May Do More Harm Than Good,* Human Rights Watch (Sept. 11, 2007), http://hrw.org/english/docs/2007/09/06/usdom16819.htm.

[14] Human Rights Watch, No Easy Answers: Sex Offender Laws in the U.S. 12 (2007) (the first comprehensive study in the United States regarding sex offender policies, their impact on public safety, and their effect on former offenders), http://hrw.org/reports/2007/us0907/us0907web.pdf; *Offender Laws May Do More Harm Than Good,* Human Rights Watch (2007) (urging reform of the Adam Walsh Act and recommending that states refuse to change their registration and community notification laws to meet the AWA's requirements), http://hrw.org/english/docs/2007/09/06/usdom16819.htm.

[15] "Megan's Law" is the informal name for the overarching laws in the United States that require law enforcement authorities to make information available to the public regarding registered sex offenders. Over the past 15 years, similar registration and community notification laws have been passed in response to some high-profile cases where young children were kidnapped, sexually assaulted, and in some cases, murdered. *See, e.g.,* "Jessica's Law," "Sarah's Law," the "Amie Zyla Law," "Dru Sjodin National Sex Offender Registry," and "Jonathan's Law."

[16] Peter Elikann, Superpredators: The Demonization of Our Children by the Law (1999); Peter Elikann, Superpredators: The Demonization of Our Children by the Law (1999); Crime and Public Policy 489-507 (James Q. Wilson & Joan Petersilia eds., 1995); John J. Dilulio, *The Coming of the Super-Predators,* Wkly Standard, Nov. 27, 1995, at 23.

[17] *See* Franklin E. Zimring, An American Travesty: Legal Responses to Adolescent Sexual Offending (2004); Phoebe Geer, *Justice Served? The High Cost of Juvenile Sex Offender Registration,* 27 Dev. Mental Health L. 44-52 (2008); Britney M. Bowater, Comment, *Adam Walsh Child Protection and Safety Act of 2006: Is There a Better Way to Tailor the Sentences of Juvenile Sex Offenders?,* 57 Cath. U. L. Rev. 817, 835-46 (2008); Adam Doeringer, Comment, *Rehabilitating Juvenile Sex Offenders with a Life Sentence,* 42 J. Marshall L. Rev. 187 (2009).

[18] *See generally* Kelly Luker, *Kids These Days,* Metro Santa Cruz, Sept. 18-24, 1997, http://www.metroactive.com/papers/cruz/09.18.97/kids-9738.html.

[19] *See generally* Jonathon Simon, Governing through Crime: How the War on Crime Transformed American Democracy and Created a Culture of Fear 4, 6 (2007) (addressing the importation of crime control into school administration); Aaron Kupchik, Judging Juveniles: Prosecuting Adolescents in Adult and Juvenile Courts 21 (2006) (describing a "sequential model of justice," or a system that borrows both a criminal justice model and a juvenile justice model, as a way of understanding prosecution of adolescents in criminal court).

[20] Peter Elikann, Superpredators: The Demonization of Our Children by the Law (1999); Peter Elikann, Superpredators: The Demonization of Our Children by the Law (1999); Crime and Public Policy 489-507 (James Q. Wilson & Joan Petersilia eds., 1995).

[21] John J. Dilulio, *The Coming of the Super-Predators,* WKLY STANDARD, Nov. 27, 1995, at 23.

[22] LORI DORFMAN & VINCENT SCHIRALDI, OFF BALANCE: YOUTH, RACE & CRIME IN THE NEWS (2001).

[23] *Supra.*

[24] LORI DORFMAN & VINCENT SCHIRALDI, OFF BALANCE: YOUTH, RACE & CRIME IN THE NEWS 3-5 (2001).

[25] *United States v. Juvenile Male,* 590 F.3d 924, 940 (9th Cir. 2010), *vacated and remanded,* 79 U.S.L.W. 3725 (2011).

[26] 152 Cong. Rec. H678 (2006).

[27] *Id.*

[28] Title I, §111.8 of the Adam Walsh Act, Pub. L. No. 109-248, (2006).

[29] 42 U.S.C.S. § 16911 (LexisNexis 2011).

[30] Amie Zyla of Waukesha, Wisconsin was 8 years old when she was sexually assaulted and threatened by 14 year old Joshua Wade. Wade was adjudicated delinquent in juvenile court, and was therefore required under Wisconsin law to register with local police as a sex offender. Less than a decade later, while still being monitored as a sex offender, Wade was arrested for assaulting and enticing children to his apartment. Wade was never convicted of these charges. However, Amie Zyla and her parents were successful in lobbying to the State Legislature to take some additional action against children accused of sexual misconduct. Amie and her parents then took their cause to Washington, DC, where they successfully lobbied Congress to expand sex offender registration and notification under SORNA to children.

Supporters of the Zyla expansion unfailingly spoke about how the provision was critical to protecting the nation's children. But absent from the closed door discussions were any expert testimony or scientific evidence to support claims that this dramatic revision of sex offender registration laws and treatment of children in the juvenile justice system would do anything to enhance public safety. In fact there was very little discussion at all regarding the Zyla expansion and the potentially detrimental impact on society likely to emerge from the inclusion of children in registration and community notification laws.

[31] 152 Cong. Rec. H5724 (2006) (statement of Rep. Scott).

[32] *Id.*

[33] ROBERT PRENTKY & SUE RIGHTHAND, JUVENILE SEX OFFENDER ASSESSMENT PROTOCOL–II (J-SOAP-II) MANUAL (2003), *available at* http://www.ncjrs.gov/pdffiles1/ojjdp/202316.pdf.

[34] *The Effective Management of Juvenile Sex Offenders in the Community: A Training Curriculum,* CENTER FOR SEX OFFENDER MANAGEMENT, http://www.csom.org/train/juvenile/3/3_12.htm.

GUIDE TO SORNA

Section III features a Guide to the *Sex Offender Registration and Notification Act (SORNA).* The section is comprised of three parts: a Terminology Guide, a primer on what constitutes an Offense Requiring Registration under SORNA, and a narrative and brief chart with updated information on those jurisdictions deemed by the U.S. Department of Justice to be in "substantial compliance" with SORNA as of May 1, 2011, the date the Snapshot was taken.

PART A: TERMINOLOGY

The Sex Offender Registration and Notification Act (SORNA) defines certain terms in very specific ways to provide a floor, rather than a ceiling, for sex offender registration and notification requirements.[1] Jurisdictions' registration laws must meet these minimum standards to be considered compliant by the July 27, 2011 deadline.[2] The SORNA Guidelines significantly redefine commonly used criminal justice terms.[3] For example, the term "criminal conviction" as used by SORNA has a meaning unique to federal criminal law. SORNA expands the term convicted to include an adjudication of delinquency as a juvenile.[4]

This section is a compilation of terms, as defined by the Federal SORNA Guidelines and as they are used by the authors throughout the Snapshot.

Adjudication – Under the Federal Juvenile Delinquency Act (FJDA) 18 U.S.C. § 5031, an adjudication of delinquency refers to the outcome of a family (or juvenile) court prosecution that concludes in a judgment of guilty as charged for a violation of the criminal law committed by a minor.[5] The terms *adjudication of delinquency* and *adjudicated delinquent* refer to a crime that if committed by an adult would be considered a criminal conviction.

Under SORNA an adjudication of delinquency of a child for certain sexual offenses is a conviction.

Conviction – The terms *conviction* and *convicted* refer to a final judgment on a verdict of guilty, a plea of guilty, or a plea of nolo contendere.

Under SORNA, a "sex offender" means "an individual who is convicted of a sex offense." A sex offender is "convicted" for SORNA purposes if the individual has been subject to penal consequences based on that conviction.[6] SORNA "convictions" include convictions of children who are prosecuted as adults in criminal court as well as children adjudicated delinquent in juvenile or family court.[7] SORNA is the first federal law to include children in sex offender registration and notification systems. The SORNA Guidelines require that any individual, 14 years of age or older, committing (or attempting or conspiring to commit) certain sexual acts will be subject to sex offender registration and notification.[8]

Incoming Juvenile Sex Offender – Under SORNA, *incoming juvenile sex offender* refers to a registered child moving from one jurisdiction to a new jurisdiction. Under the SORNA Guidelines, a child who is required to register in their original jurisdiction must register in the new jurisdiction, regardless of whether that new jurisdiction requires registration for juveniles adjudicated delinquent of sex offenses. A juvenile not required to register in his or her original jurisdiction may or may not have to register in his or her new jurisdiction.

Jurisdiction – A total of 248 jurisdictions are regulated by the Act. The SORNA Guidelines define a *"jurisdiction"* as the 50 States, the District of Colombia, the five principal U.S. Territories, and the 192 federally recognized Native American Tribes that elected to function as registration jurisdictions under SORNA.

Note: Even though SORNA applies to the 248 jurisdictions there were not enough resources to research and report on the laws in all SORNA jurisdictions. The status of sex registration and notification within the Native American Tribes and U.S. Territories is so intricate, vital and complex, it would be irresponsible to attempt to capture within this brief survey. Even though this book only focuses on the 50 States, the District of Columbia, and Guam, the status of laws within the Native American Tribes and U.S. Territories should be considered equally important. A separate book should be written to solely address the complexities of sex offender registration and notification laws within the Native American Tribes and U.S. Territories.

Juvenile Sex Offender – The term *juvenile sex offender* refers to 'a juvenile adjudicated delinquent of a sexual offense.' The use of the term "juvenile sex offender" is not intended as commentary on guilt, deviance, proclivity, risk of reoffending, or mental state. "Juvenile sex offender" describes only a legal status to which registration and notification requirements may attach.

Moving – *Moving* in this survey refers to a child required to register as a sex offender who will or is moving to a new residence, either within the same state or out-of-state. SORNA requires registered sex offenders to report changes in address as well as changes in employment and educational institution. Each jurisdiction has laws that stipulate how many days prior to moving a sex offender must notify law enforcement.

Petitioning – Sex offenders may be able *to petition* for removal from the registry, have the required duration of registry reduced, gain a change or reduction in classification, or be exempted from community notification requirements.

Minimum Age – "Minimum age" refers to the age *at the time of offense* that a juvenile adjudicated delinquent of a registerable offense may be required to register as a sex offender.

Non-Public Registration – When information is not disclosed to the public, and is available only to law enforcement agencies for public safety purposes, it is considered *non-public.* However, what limitations on disclosure actually constitute "non-public registration" vary widely from jurisdiction to jurisdiction.

Sexual Act – The SORNA definition of *sexual act* mirrors the definition of "sexual act" as defined by 18 U.S.C. § 2246(2), which applies to the "aggravated sexual abuse" offense.[9] The Guidelines advise that for purposes of SORNA, a "sexual act" should be understood to include any of the following: (i) oral-genital or oral-anal-contact, (ii) any degree of genital or anal penetration, and (iii) direct genital touching of a child under the age of sixteen.[10]

The definition of the federal "aggravated sexual abuse" offense as applied to juveniles[11] includes offenses under a jurisdiction's laws that are "comparable to": engaging in a sexual act with another by force or threat of serious violence (18 U.S.C. § 2241(a)); and engaging in a sexual act with another by rendering unconscious or involuntarily drugging the victim (18 U.S.C. § 2241(b)).

Sex Offender Registration – A system designed to enable law enforcement officials to keep track of the residence and activities of adult sex offenders after their release into the community.

Sexual Offender Registration Administrator(s) (SORs) – The officials assigned by the U.S. Department of Justice to oversee the sex offender registration and notification systems in each jurisdiction.

Sex Offender Public Notification – Under SORNA, sex offender public notificaton includes "the distribution of information regarding released sex offenders to citizens and community organizations."[12] Notification laws have evolved over time to allow public access to information regarding individuals deemed to be sex offenders.

Please see page 8 of the Snapshot for additional information on the posting of juvenile photographs on the sex offender notification Websites.

Sex Offender Registration and Notification Act ("SORNA") – Passed under Title I of Adam Walsh Child Protection and Safety Act of 2006 (public Law 109-248), *SORNA* requires all states, the District of Columbia, U.S. Territories, and certain federally-funded Native American Tribes to create or to expand sex offender registries to include juveniles adjudicated delinquent of certain sexual offenses in juvenile court.[13]

States – Unless specified otherwise, for purposes of this book, the plural term *States* refers to the fifty States, and the District of Columbia.

PART B: OFFENSES REQUIRING REGISTRATION

Sex offender registration schemes developed around the misconception that any crime that can be construed as "sexually motivated" automatically necessitates registration. The Adam Walsh Act's SORNA was motivated by the concern that registering individuals based on each jurisdiction's public safety needs created "loopholes" and "deficiencies" that would allow thousands of registrants to be effectively "lost" by law enforcement.[1] SORNA expanded the range of sex offenses requiring registration.[2] Under the Act, a "sex offense" includes offenses having "an element involving a sexual act or contact with another;"[3] "video voyeurism"; having possession, producing or distributing child pornography; and, most expansively "[a]ny conduct that by its nature is a sex offense against a minor."[4]

To appease frustrated constituents and to alleviate legitimate legal and constitutional concerns with the federal Act, state legislatures have found it necessary to defy the SORNA Guidelines. Several jurisdictions amended their registration laws to allow judicial discretion over registration requirements beyond that permitted by the impracticable SORNA Guidelines. Certain states require registration for a conviction based on a "sexually motivated" crime,[5] a crime committed "for the purpose of sexual gratification"[6] or "vicarious sexual gratification,"[7] and, most disturbingly, for a conviction "arising out of the same set of circumstances"[8] as a charged offense that statutory law specifies as requiring registration.[9]

A brief look at three states' registerable offenses is provided to help convey a sense of the wide spectrum of offenses requiring registration. The three states analyzed in this section are Arkansas, Kansas, and Maryland. In some states, like Arkansas, the registerable offenses for juveniles differ from those for adults. However, Arkansas legislation gives the courts discretion to order the same offender screening and risk assessment for "any offense with an underlying sexually motivated component" for which a juvenile has been adjudicated.[10] This sort of expansive language opens the proverbial floodgates, granting expansive powers to the state to submit juveniles to registration for crimes the legislature never contemplated. Kansas has similar language, holding juveniles and adults to registration requirements for the same specific offenses, in addition to registration for any act deemed "sexually motivated."[11] Finally, in the minority, there are states like Maryland, that have differing registerable offenses targeted specifically to juvenile offenders.[12] These three states are representative of the jurisdictions covered in the Snapshot, embodying the scattered, incongruent and perplexing attempts to comply with SORNA. A brief summary of each state's registerable offenses is followed by an in-description of the offenses and the elements constituting each.

State where registerable offenses for juveniles differ from those for adults and are assessed at levels

REGISTERABLE OFFENSES FOR JUVENILES IN ARKANSAS

In Arkansas, if a juvenile is adjudicated delinquent for "Rape," "Sexual Assault in the First Degree," "Sexual Assault in the Second Degree," "Incest," or "Engaging children in sexually explicit conduct for use in visual or print medium," the court must order a sex offender screening and risk assessment. The court may order the same offender screening and risk assessment if a juvenile is adjudicated delinquent for any offense with an underlying sexually motivated component.

REGISTERABLE OFFENSES

"Rape"[1]

Where there is sexual intercourse or deviate sexual activity with another person by forcible compulsion; or the victim is incapable of consent because of physical helplessness, mental defect, or mental incapacity; or the victim is less than 14 years of age[2]; or, the victim is a minor and the offender is a close family relative.[3]

"Sexual assault in the first degree"[4]

Where there is sexual intercourse or deviate sexual activity with a minor who is not the actor's spouse, and, the actor is employed with the Department of Correction, the Department of Community Correction, the Department of Human Services, or any city or county jail or juvenile detention facility and the victim is in the custody of one of those facilities; or the actor is a mandated reporter and is in a position of trust or authority over the victim; or, the actor is an employee in the victim's school or school district, a temporary caretaker, or a person in a position of trust or authority over the victim.[5]

"Sexual assault in the second degree"[6]

Where there is sexual contact by forcible compulsion; sexual contact with a victim who is incapable of consent because of physical helplessness, mental defect, or mental incapacity; engages in sexual activity with a child less than 14 years of age who is not the actor's spouse, if the actor is 18 years of age or older;[7] the actor engages in sexual contact with a minor and the actor is employed with the Department of Correction, the Department of Community Correction, or any city or county jail or juvenile detention facility and the minor is in the custody of one of those facilities; the actor is a mandated reporter and is in a position of trust or authority over the victim; or, the actor is the minor's guardian, an employee in the minor's school or school district, a temporary caretaker, or a person in a position of trust or authority over the minor. If the actor is a teacher in a public school and engages in sexual contact with a victim who is a student enrolled in the public school and is less than 21 years of age, it is also assault in the second degree.

"Incest"[8]

Where the actor, 16 years of age or older, purports to marry, has sexual intercourse with, or engages in deviate sexual activity with a victim 16 years of age or older whom the actor knows to be related as an ancestor or descendant, stepchild or adopted child, brother or sister of the whole or half blood, uncle, aunt, nephew, niece, step-grandchild or adopted grandchild, without regard to legitimacy.

"Engaging children in sexually explicit conduct for use in visual or print medium"[9]

Where an actor employs, uses, persuades, induces, entices, or coerces any child to engage in or assist any other person to engage in sexually explicit conduct for the purpose of producing visual or print medium depicting the sexually explicit conduct; or, any parent, legal guardian, or person having custody or control of a child who knowingly permits the child to engage in such sexually explicit conduct.

RISK ASSESSMENT

The court may order a sex offender screening and risk assessment if a juvenile is adjudicated delinquent for any offense with an underlying sexually motivated component. The court may require that a juvenile register as a sex offender upon the recommendation of the Sex Offender Assessment Committee, who then assigns a risk level to the juvenile based on its assessment. A hearing follows within 90 days of the registration motion, with counsel provided to represent the juvenile. While making the decision whether to require the juvenile to register as a delinquent sex offender, the court considers: the seriousness of the offense, the protection of society, the level of planning and participation in the alleged offense, the previous sex offender history of the juvenile, whether there are available rehabilitation facilities or programs for the juvenile prior to the expiration of the court's jurisdiction, the sex offender assessment, and any other factors deemed relevant by the court.

State where registerable offenses are the same as for adults

REGISTERABLE OFFENSES FOR JUVENILES IN KANSAS

In Kansas, juveniles are included in a separate, non-public list if adjudicated for an act that, if committed by an adult, would constitute the commission of a sexually violent crime, including: "Rape," "Indecent liberties with a child," "Aggravated indecent liberties with a child," "Criminal sodomy," "Aggravated criminal sodomy," "Indecent solicitation of a child," "Aggravated indecent solicitation of a child," "Sexual exploitation of a child," "Sexual battery," "Aggravated sexual battery," "Aggravated incest," "Electronic solicitation," "Unlawful sexual relations," "an attempt, conspiracy or criminal solicitation of any of the aforementioned crimes," or "any act which has been determined beyond a reasonable doubt to have been sexually motivated."[1]

REGISTERABLE OFFENSES

"Sexually violent crime"[2] is defined as meaning:

"Rape"[3] Where there is sexual intercourse without consent; and where the victim is overcome by force or fear, or the victim is unconscious or physically powerless, or the victim is incapable of giving consent either by mental deficiency or disease, or because of the effect of any alcoholic liquor, narcotic, drug or other substance, and the offender knew or should have known the victim's condition rendering him or her incapable of giving consent; or where there is sexual intercourse with a child under 14 years of age; or where there is sexual intercourse when consent was obtained through misrepresentation.

"Indecent liberties with a child"[4] Where an actor engages a child who is between 14 and 16 years of age in any lewd fondling of either child or offender with intent to arouse either child or offender; or solicits a child to engage in any lewd fondling of another person with the intent to arouse the child or offender.

"Aggravated indecent liberties with a child"[5] Where there is sexual intercourse with a child between 14 and 16 years of age; or engaging a child between 14 and 16 years of age in any lewd fondling or touching of either the child or offender or another with the intent to arouse the child or the offender or another; or engaging a child who is under 14 in any lewd fondling of either child or offender with intent to arouse either child or offender

"Criminal sodomy"[6] Sodomy with a child who is between 14 and 16 years of age; or causing a child who is between 14 and 16 years of age to engage in sodomy with a person or animal.

"Aggravated criminal sodomy"[7] Where there is sodomy with a child under 14 years of age, causing a child under 14 years of age to engage in sodomy with a person or an animal; or, sodomy with a person without consent, or causing a person without consent to engage in sodomy with any person or animal, when the victim is overcome by fear or force, is unconscious or physically powerless, or the offender knew or should have known the victim was incapable of giving consent because of mental deficiency or disease, or the effects of alcohol, narcotics, drugs, or other substances.

"Indecent solicitation of a child"[8] Where an actor entices or solicits a child between 14 and 16 years of age to commit or submit to an unlawful sexual act; or, invites, persuades or attempts to persuade a child between 14 and 16 years of age to enter any vehicle, building, room, or secluded place with intent to commit an unlawful sexual act upon or with the child.

"Aggravated indecent solicitation of a child"[9] Where there is enticing or soliciting a child under 14 years of age to commit or submit to an unlawful sexual act; or, inviting, persuading, or attempting to persuade a child under 14 years of age to enter any vehicle, building, room or secluded place with intent to commit an unlawful sexual act upon or with the child.

"Sexual exploitation of a child"[10] Where an actor employs, uses, persuades, induces, entices or coerces a child under 18 years of age to engage in sexually explicit conduct for the purpose of promoting any performance; possesses any visual depiction of a child under 18 years of age who is shown or heard engaging in sexually explicit conduct with intent to around or satisfy the sexual desires of the offender, the child or another person; is a parent or guardian of a child under 18 years of age and knowingly permitting such child to engage in sexually explicit conduct; or, employs, uses, persuades, induces, entices or coerces a child under 14 years of age to engage in sexually explicit conduct for the purpose of promoting any performance or promotes any performance that includes sexually explicit conduct by a child under 14 years of age.[11]

"Sexual battery"[12] Where there is intentional touching without consent of a person who is 16 or more years of age who is not the offender's spouse, with the intent to arouse or satisfy the sexual desires of the offender or another person.

"Aggravated sexual battery"[13] Where there is intentional touching without consent of the person or another who is 16 or more years of age, with the intent to arouse or satisfy the sexual desires of the offender, where the victim is overcome by force or fear, the victim is unconscious or physically powerless, or when the offender knew or should have known the victim is incapable of giving consent because of mental deficiency or disease or the effect of alcohol, narcotics, drugs, or other substances.

"Aggravated incest"[14] Where there is marriage to a person under 18 years of age who is known to the offender as a biological, step, or adoptive relative; or, engaging in otherwise lawful sexual intercourse, or sodomy, or any lewd fondling, with a person between 16 and 18 years of age who is known to the offender to be related to the offender as a biological, step, or adoptive relative.[15]

"Electronic solicitation"[16] Where an actor communicates through telephone, internet, or by other electronic means to entice or solicit a child, or a person the offender believes to be a child, between 14 and 16 years of age to commit or submit to an unlawful sexual act; or, entice or solicit a child, or person the offender believes to be a child, under 14 years of age to commit or submit to an unlawful sexual act.[17]

"Unlawful sexual relations"[18] Where the offender engages in consensual sexual intercourse, lewd fondling or touching, or sodomy with a person who is not the offender's spouse, if the offender is an employee or volunteer of the department of corrections, a jail, a juvenile justice authority, the department of social and rehabilitation services, court services, or is a teacher or person in a position of authority, and the victim is an inmate or parolee 16 years of age or older.

"An attempt, conspiracy or criminal solicitation of any of the aforementioned crimes."[19]

"An act which has been determined beyond a reasonable doubt to have been sexually motivated."[20]

State where registerable offenses for juveniles differ from those for adults

REGISTERABLE OFFENSES FOR JUVENILES IN MARYLAND

In Maryland, juveniles are included in a separate, non-public list if adjudicated for an act that, if committed by an adult, would constitute a violation of "Rape in the first degree," "Rape in the second degree," "Sexual offense in the first degree," "Sexual offense in the second degree," "Sexual offense in the third degree," or "Sexual offense in the fourth degree."[1]

REGISTERABLE OFFENSES

"Rape in the first degree"[2]

Where there is vaginal intercourse with another by force, or the threat of force, and without consent; and a weapon (or something a victim could reasonably believe to be a weapon) is employed or displayed, or the offender suffocates, strangles, disfigures, or inflicts serious physical injury on the victim or another, or the offender threatens or places the victim or another the victim knows in fear of imminent death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; or the offender commits the crime while aided and abetted by another; or the rape is committed in connection with a burglary.

"Rape in the second degree"[3]

Where there is vaginal intercourse with another by force, or the threat of force, and without consent; or, where the victim is mentally or physically incapacitated; or, where the victim is under the age of 14 years and the actor is at least 4 years older than the victim.

"Sexual offense in the first degree"[4]

Where there is a "sexual act"[5] with another by force, or by threat of force, and without consent; and a weapon (or something a victim could reasonably believe to be a weapon) is employed or displayed, or the offender suffocates, strangles, disfigures, or inflicts serious physical injury on the victim or another, or the offender threatens or places the victim or another the victim knows in fear of imminent death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; or the offender commits the crime while aided and abetted by another; or the rape is committed in connection with a burglary.

"Sexual offense in the second degree"[6]

Where there is a "sexual act"[7] with another by force, or threat of force, and without consent; or, where the victim is mentally or physically incapacitated; or, where the victim is under 14 and the actor is at least 4 years older.

"Sexual offense in the third degree"[8]

Where there is a "sexual contact"[9] with another without consent; and a weapon (or something a victim could reasonably believe to be a weapon) is employed or displayed, or the offender suffocates, strangles, disfigures, or inflicts serious physical injury on the victim or another, or the offender threatens or places the victim or another the victim knows in fear of imminent death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; or the offender commits the crime while aided and abetted by another; or where the victim is mentally or physically incapacitated; or where the victim is under 14 and the actor is at least 4 years older than the victim; or where there is a "sexual contact" or vaginal intercourse and the victim is 14 or 15 and the actor is at least 21 years old.

"Sexual offense in the fourth degree"[10]

A person in a position of authority may not engage in "sexual contact" with another without consent.

PART C: SORNA COMPLIANCE STATUS

As of May 1, 2011, the United States Department of Justice (DOJ) has deemed only twelve jurisdictions[1] to be in "substantial compliance" with SORNA.[2] Five years after SORNA's passage, less than five percent of the jurisdictions required to implement SORNA have substantially implemented the Act.

SORNA purports "to protect the public from sex offenders and offenders against children…by establish[ing] a comprehensive national system for the registration of those offenders."[3] However, a glance at the jurisdictions considered to have "substantially implemented" SORNA reveals nothing comprehensive about this sex offender registration and notification system. To the contrary, SORNA creates vastly incongruent registration and notification systems that flood the registries with low risk offenders and juveniles, and may do more harm than good to communities, the victims, and the offenders.

The SORNA Compliance Chart, located towards the end of Section III, looks at the seven states deemed to be in "substantial compliance" with SORNA as of May 1, 2011. Please note the discrepancies in the newly adopted juvenile sex offender registration and notification provisions. In particular, it is useful to compare the implementation of SORNA in Delaware with Michigan. After passing SORNA compliance legislation, the State of Delaware is left with a sex offender registration system that subjects children of any age to lifetime registration, notification, and internet postings. There are over 639 children on the Delaware sex offender registry; 55 of whom are *under the age of twelve*.[4] A handful of these registered "sex offenders" are nine years old.[5] At the other end of the spectrum, Michigan's SORNA-compliant law allows for young children to be removed from its registry.[6] There are over 3,500 juveniles adjudicated delinquent of sex offenses are on the sex offender registry in the State of Michigan, including children as young as nine years old. Close to 200 children between the ages of nine and twelve years old have been adjudicated delinquent and are required to register as "sex offenders" in Michigan.[7] After years of hard work, child advocates have successfully lobbied to use SORNA-compliant legislation to improve sex offender registration laws in the State. Michigan's SORNA-compliant legislation that went into effect on July 1, 2011 brings two significant improvements for youth adjudicated delinquent of sex offenses. The first change allows juveniles who were under the age of fourteen to petition for removal from the sex offender registry.[8] Second, juveniles adjudicated delinquent of a sex offense will no longer be listed on the public website, and will instead only have their information listed on the non-public law enforcement database.[9]

An analysis of the jurisdictions deemed to be in substantial compliance with SORNA provides no evidence of a move toward a "comprehensive" system of sex offender registration. In fact, jurisdictions that rushed to amend their sex offender laws to comply with SORNA are discovering that they are moving further away from promise of SORNA Guidelines – "substantial compliance" of the much hyped panacea of sex offender registration and notification requirements does not appear effective in closing the "gaps and loopholes" so heavily criticized in the old system.[10]

	DELAWARE	FLORIDA	OHIO
Are juveniles required to register	Yes	Yes	Yes
Who is required to register and what is the extent of the court's discretion over a juvenile's registration requirements	Juveniles adjudicated delinquent and juveniles convicted as adults must register	Juveniles adjudicated delinquent and juveniles convicted as adults must register	Juveniles adjudicated delinquent and juveniles convicted as adults must register
Is there a non-public registry	Yes, all Tier 1 registrants are placed on this registry	No	No. However, juveniles are not disclosed on public registry
Minimum age that a juvenile can be required to register	None	Must have been at least 14 at the time of the offense	Must have been at least 14 at the time of the offense
Minimum age for public registry	None	14	14
Registerable Offenses	Same as for adults	Juveniles adjudicated delinquent only for certain offenses	Same as for adults
Length of Registration	Tier 1 - 15 years Tier 2 - 25 years Tier 3 - Lifetime Registration	Lifetime Registration	Tier 1 - 10 years Tier 2 - 20 years Tier 3 - Lifetime Registration
Frequency of Registration	Tier 1 - Annually Tier 2 - Semi-annually Tier 3 - Quarterly	Quarterly or Semi-annually, depending on the offense	Tier 1 - Annually Tier 2 - Semi-annually Tier 3 - Every 90 days
Community Notifications	Only Tier 2 and Tier 3 registrants are subject to community notification	At discretion of law enforcement	Public website
Additional restrictions that apply to registrants	N/A	Residency restrictions apply	Residency restrictions apply
Registration requirements for an incoming juvenile	A juvenile who is required to register in another jurisdiction, must register in Delaware	A juvenile who is required to register in another jurisdiction, must register in Florida within 48 hours. However, incoming juveniles are not disclosed to the public	A juvenile who is required to register in another jurisdiction, must register in Ohio
Requirements for a juvenile sex offender moving	Must notify law enforcement within 3 days of address change	Must notify law enforcement 48 hours prior to address change	Must notify law enforcement 7 days prior to a change of address
Can juveniles petition	Yes. Tier 1 and Tier 2 registrants must wait 10 years. Tier 3 registrants can petition to be reclassified to Tier 2 after 25 years	Yes. Registrants must wait 25 years and only certain offenders qualify	Yes. Juveniles adjudicated after January 1, 2008 can petition to be reclassified
Registration requirements for temporary residence, traveling, or visiting	Must register if present for more than 7 days consecutively or 30 days aggregate in a calendar year	Must register if staying for 5 or more days during a calendar year	Must register with the Sheriff within 3 days of arrival if staying for three or more consecutive days or 14 days total in a calendar year

SOUTH DAKOTA	MICHIGAN	NEVADA	WYOMING
Yes	Yes	Yes	Yes. Effective 7/1/2011
Juveniles adjudicated delinquent and juveniles convicted as adults must register. Court has discretion to suspend adjudication thereby relieving the duty to register	Juveniles adjudicated delinquent and juveniles convicted as adults must register. While new legislation will remove juveniles from the registry under HYTA who have not had a subsequent sex offense, it will require offenders under HYTA after 10/2011 to register	Juveniles adjudicated delinquent and juveniles convicted as adults must register	Juveniles adjudicated delinquent and juveniles convicted as adults must register
No	No. However, public registry is reserved for Tier 2 and Tier 3 registrants only	No	No. However, juveniles are not disclosed on public registry
Must have been at least 14 at the time of the offense	Must have been at least 14 at the time of the offense	None	None
14	All juveniles required to register are non-public	None	Juveniles adjudicated are not disclosed on the public registry
Juveniles adjudicated delinquent only for certain offenses must register. These offenses are: rape, felony sexual contact, sexual contact with a person incapable of consenting, distribution of child pornography, sexual exploitation of a minor, kidnapping, promotion of the prostitution of a minor, criminal pedophilia, felony indecent exposure, solicitation of a minor, bestiality, and intentional exposure to HIV infection	Only juveniles adjudicated of certain offenses will be required to register if there were elements of penetration with force, threat of life or injury, or rendering unconscious	Same as for adults	Juveniles adjudicated delinquent only for certain offenses must register
Tier 1 - 10 years Tier 2 - 25 years Tier 3 - Lifetime Registration	Tier 1 - 15 years Tier 2 - 25 years Tier 3 - Lifetime Registration	Tier 1 - 15 years Tier 2 - 25 years Tier 3 - Lifetime Registration	Lifetime Registration
Semi-annually	Tier 1 - Annually Tier 2 - Semi-annually Tier 3 - Quarterly	Tier 1 - Annually Tier 2 - Every 180 days Tier 3 - Every 90 days	Annually, semi-annually, or every three months depending on the offense
Public Website	Public registry is reserved for Tier 3 offenders only	Public Website	Juveniles adjudicated are not disclosed on the public website
Residency restrictions do not apply to adjudicated juveniles who were under 18 years of age at the time of the offense.	N/A	Residency restrictions apply	N/A
A juvenile, who is required to register in another jurisdiction, must register in South Dakota. Must register as a sex offender 3 days after entering South Dakota	A juvenile who is required to register in another jurisdiction, must register in Michigan	A juvenile who is required to register in another jurisdiction, must register in Nevada	A juvenile who is required to register in another jurisdiction, must register in Wyoming. Must register as a sex offender 3 days after entering Wyoming
Must notify law enforcement within 5 days of address change	N/A	Must keep probation officer apprised of current address; probation will advise law enforcement	Must notify within 3 days of moving
Yes. If adjudicated juveniles are found delinquent for a sex crime and classified as a Tier I offender, they may petition for removal after 10 years	Yes. Some Tier 1 registrants will be able to petition a judge to have their name removed after 10 years	Yes. A petition may be filed to reduce period of registration under certain circumstances	Yes. Juveniles adjudicated can petition after 10 years on the registry
Must register within 3 business days	N/A	Must register if staying in state for more than 48 hours	N/A

HOT OFF THE PRESS

On July 7, 2011, the State of Louisiana became the eighth state deemed to be in substantial compliance with SORNA. To date, a mere thirteen of the 248 jurisdictions have "substantially implemented" SORNA. (Press Release, 2011). That is, of the total jurisdictions required to implement SORNA, only eight States, four Native American Tribes, and one U.S. Territory have been determined to be in substantial compliance with SORNA by the Department of Justice. The SMART Office is tasked with the potentially insurmountable task of bringing the remaining 235 jurisdictions in compliance with SORNA by the July 27, 2011 final deadline.

A Period in Flux

The authors made every attempt to give readers the most up-to-date information on the current status of sex offender laws. As the final deadline to comply with SORNA swiftly approaches, these last few weeks will be a period of great flux and change.

This text box, entitled, "Hot off the Press" features announcements of additional jurisdictions deemed to be in substantial compliance by the United States Department of Justice shortly before the July 27, 2011 final deadline.

It is imperative that readers remain mindful that the sex offender registration laws of jurisdictions and compliance status are likely to change as the text goes to press. **Updated on July 14, 2011.**

Source

Press Release, Department of Justice, Justice Department Announces Four More Jurisdictions Implement Sex Offender Registration and Notification Act (May 12, 2011), http://www.ojp.usdoj.gov/newsroom/pressreleases/2011/SMART11102.htm; Louisiana Listed Among States in Compliance with Federal Adam Walsh Act, July 7, 2011, http://www.KATC.com/news/louisiana-listed-among-states-in-compliance-with-federal-adam-walsh-act/.

SECTION III ENDNOTES

PART A: TERMINOLOGY NOTES

[1] *Sex Offender Registration and Notification Act Substantial Implementation Checklist,* U.S. Department of Justice: Office of Justice Programs, http://www.ojp.usdoj.gov/smart/pdfs/sorna_checklist.pdf.

[2] *Frequently Asked Questions: The Sex Offender Registration and Notification Act (SORNA) Final Guidelines,* U.S. Department of Justice: Office of Justice Programs, http://www.ojp.gov/smart/pdfs/faq_sorna_guidelines.pdf.

[3] 42 U.S.C. § 16911(8).

[4] Title I, §111.8 of the Adam Walsh Act, Pub. L. No. 109-248, 120 Stat. 587 (2006).

[5] *In re Gault,* 387 U.S. 1, 87 S. Ct. 1428 (1967); *In re Winship,* 397 U.S. 358, 90 S. Ct. 1068 (1970).

[6] *Office Sex Offender Monitoring, Apprehension, Registration, and Tracking* (SMART), http://www.ojp.usdoj.gov/smart/sorna.htm#jurisdictions; 42 U.S.C. §16911(8).

[7] *Id.*

[8] *Id.*

[9] The SORNA definition of "sexual act" follows from the definition of sexual act as defined by 18 U.S.C. 2246(2), which applies to the 18 U.S.C. 2241 "aggravated sexual abuse" offense.

[10] *Id.*

[11] Title I, §111.8 of the Adam Walsh Act, Pub. L. No. 109-248, 120 Stat. 587 (2006).

[12] S. Matson & R. Lieb, *Community Notification in Washington State: 1996 survey of law enforcement* (1996).

[13] *SORNA Implementation Documents,* U.S Department of Justice: Office of Justice Programs, http://www.ojp.usdoj.gov/smart/pdfs/SORNA_ImplementationDocuments.pdf; *The Sex Offender Registration and Notification Act (SORNA) Final Guidelines,* U.S. Department of Justice: Office of Justice Programs, http://www.ojp.gov/smart/pdfs/faq_sorna_guidelines.pdf.

PART B OFFENSES REQUIRING REGISTRATION NOTES

[1] *See, e.g.,* 152 Cong. Rec. S8018 (daily ed. Jul. 20, 2006) (statement of Sen. Allen); H.R. Rep. No. 109-218, 23-24 (2005); 151 Cong. Rec. H7889 (daily ed. Sept. 14, 2005) (statement of Rep. Green); *id.* at S8022 (statement of Sen. DeWine); *id.* at S8030 (statement of Sen. Frist).

[2] 42 U.S.C.S. §16911(5) (Lexis Nexis 2011).

[3] *Id.* § 16911(5)(A)(i).

[4] *Id.* § 16911(7)(F)-(I) (emphasis added).

[5] *See, e.g.* Kan. Stat. ann. § 22-4902(c)(16) (2011) (defining "sexually violent crimes" as a crime where "one of the purposes for which the defendant committed the crime was for the purpose of the defendant's sexual gratification.").

[6] *See, e.g.,* Cal. Penal Code § 290.006 (West 2008); Wash. Rev. Code Ann. §, 9.94A.030(46) (Lexis Nexis 2011).

[7] Ind. Code § 11-8-8-4.5(a)(5) (LexisNexis 2010).

[8] Minn. Stat. Ann. § 243.166(1b)(a)(1) (2010).

[9] *See* Wayne A. Logan, *Megan's Laws as a Case Study in Political Stasis,* 61 Syracuse L. Rev. 371, 380, 383-84 (2011).

[10] Ark. Code Ann. § 9-27-356(b)(1) (2011) (emphasis added).

[11] Kan. Stat. Ann. § 22-4902(c)(16); *see State v. Patterson,* 963 P.2d 436, 440 (Kan. Ct. App. 1998) (upholding registration requirement). The court noted that it had "some concern over the possibility that this statute could be extended beyond reason. For instance, would a defendant fall under the provisions of the [Act] if he or she stole contraceptives or engaged in disorderly conduct by shouting sexually explicit words?"

[12] Md. Code Ann., Crim. Proc. § 11-704.1(b)(1).

Arkansas

[1] Ark. Code Ann. § 5-14-103 (2011).

[2] It is an affirmative defense if the actor was not more than 3 years older than the victim at the time of the offense. Ark. Code Ann. § 5-14-103(a)(3)(B).

[3] It is an affirmative defense if the actor was not more than 3 years older than the victim at the time of the offense. Ark. Code Ann. § 5-14-103(a)(4)(B).

[4] Ark. Code Ann. § 5-14-124.

[5] It is an affirmative defense to using a position of trust or authority over the victim if the actor was not more than 3 years older than the victim. Ark. Code Ann. § 5-14-124(c).

[6] Ark. Code Ann. § 5-14-125.

[7] If the actor is a minor, it is an affirmative defense if the actor was not more than 3 years older than the victim if the victim is less than 12 years of age, or 4 years older than the victim if the victim is more than 12 years of age.

[8] Ark. Code Ann. § 5-26-202; Ark. Code Ann. § 5-14-125(a)(5)(B).

[9] Ark. Code Ann. § 5-27-303.

Kansas

[1] Kansas Stat. Ann. § 22-4906(h)(1) (2011).

[2] Kansas Stat. Ann. § 22-4902(c).

[3] Kansas Stat. Ann. § 21-3502.

[4] Kansas Stat. Ann. § 21-3503.

[5] Kansas Stat. Ann. § 21-3504.

[6] Kansas Stat. Ann. § 21-3505(a)(2)-(3).

[7] Kansas Stat. Ann. § 21-3506.

[8] Kansas Stat. Ann. § 21-3510.

[9] Kansas Stat. Ann. § 21-3511.

[10] Kansas Stat. Ann. § 21-3516.

[11] "Sexually explicit conduct" means actual or simulated: exhibition in the nude, sexual intercourse or sodomy, masturbation, sadomasochistic abuse for the purpose of sexual stimulation, or lewd exhibition of the genitals, female breasts or pubic area of any person. *Id.* § 21-3516(6)(1).

[12] Kansas Stat. Ann. § 21-3517.

[13] Kansas Stat. Ann. § 21-3518.

[14] Kansas Stat. Ann. § 21-3603.

[15] Biological, step, or adoptive relatives are defined as child, grandchild of any degree, brother, sister, half-brother, half-sister, uncle, aunt, nephew or niece.

[16] Kansas Stat. Ann. § 21-3523.

[17] Note – enticing or soliciting a child under 14 is a severity level 1 person felony; enticing or soliciting a child between 14 and 16 is a severity level 3 person felony.

[18] Kansas Stat. Ann. § 21-3520.

[19] Kansas Stat. Ann. § 22-4902(15).

[20] Kansas Stat. Ann. § 22-4902(16) (defining "sexually motivated" to mean that one of the purposes for which the actor committed the crime was for the purpose of his or her sexual gratification).

Maryland

[1] MD. Code Ann. §11-704.1(a)(1).

[2] MD. Code Ann. § 3-303.

[3] MD. Code Ann. § 3-304.

[4] MD. Code Ann. § 3-305.

[5] MD. Code Ann. §3-301(e)(1) (defining "Sexual Act" as an act, regardless of whether semen is emitted, that includes: analingus; cunnilingus; fellatio; anal intercourse, including penetration, however slight, of the anus; or an act: 1) in which an object penetrates, however slightly, into another individual's genital opening or anus; and 2) that can reasonably be construed to be for sexual arousal or gratification, or for the abuse of either party. "Sexual act" does not include: vaginal intercourse; or an act in which an object penetrates an individual's genital opening or anus for an accepted medical purpose).

[6] MD. Code Ann. § 3-306.

[7] *See* FN 5, *Supra.*

[8] MD. Code Ann. § 3-307.

[9] MD. Code Ann. § 3-301(f)(2) (defining "Sexual Contact" as an act in which 1) a part of the individual's body that is not the penis, mouth, or tongue, penetrates to any degree into the other's genital opening or anus; and 2) the act can reasonably be construed to be or sexual arousal or gratification, or for the abuse of either party).

[10] MD. Code Ann. § 3-308(b).

PART C: SORNA COMPLIANCE STATUS NOTES

[1] The (248) jurisdictions that fall under SORNA are made up of the (50) States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, the United States Virgin Islands, and (192) federally recognized Indian Tribes.

[2] Press Release, Department of Justice, Justice Department Announces Four More Jurisdictions Implement Sex Offender Registration and Notification Act (May 12, 2011), http://www.ojp.usdoj.gov/newsroom/pressreleases/2011/SMART11102.htm.

[3] 42 U.S.C.S. §16911(5) (Lexis Nexis 2011).

[4] Kelli Steele, *Juvenile Sex Offender Legislation Clears House Committee,* WGMD News, June 2, 2011, http://www.wgmd.com/?p=25870.

[5] *Id.*

[6] Phone interview with Shelli Weisberg, the ACLU-Michigan Legislative Director, on the plight to educate state legislators on the difference between juveniles and adults (June 21, 2011).

[7] David A. Garcia, Juveniles crowd Michigan Sex Offender Registry: More than 3,500 teen and pre-teen sex offender on state list, The Michigan Messenger, February 10, 2010, http://michiganmessenger.com/34538/juveniles-well-represented-on-mich-sex-offender-registry.

[8] Legislative Analysis of the amendment to MCL 28.728c(15), http://www.legislature.mi.gov/(S(r1jvrjme5ulv3me0wcagewme))/mileg.aspx?page=getobject&objectname=mcl-28-728c-amended&query=on.

[9] *Id.;* Legislative Analysis of the amendment to MCL 28.728(4), http://www.legislature.mi.gov/(S(01w4vm55g0yze5jwjr1lmw45))/mileg.aspx?page=getobject&objectname=mcl-28-728-amended.

[10] *See,* the National Guidelines for Sex Offender Registration and Notification, 73 Fed. Reg. 38030, 38045 (July 2, 2008).

INDIVIDUAL STATE REGISTRATION AND NOTIFICATION REQUIREMENTS APPLIED TO CHILDREN

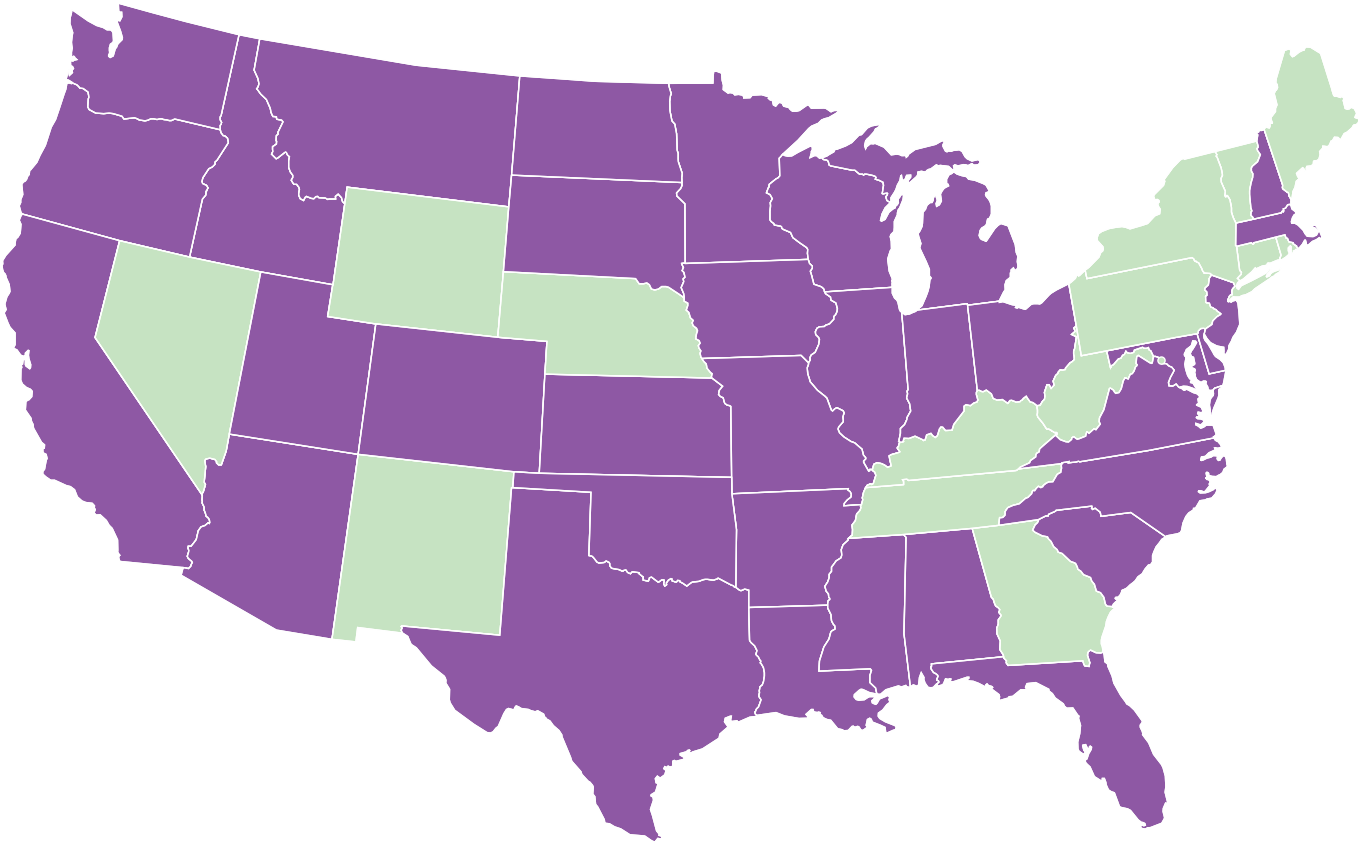
Over thirty-four states have some form of juvenile sex offender registration and notification laws. To date, seven states have been deemed to be in substantial compliance with SORNA. SORNA compliance for the States of Florida, Nevada, and Wyoming, marks the first time in their histories that children adjudicated delinquent are subject to sex offender registration and notification.

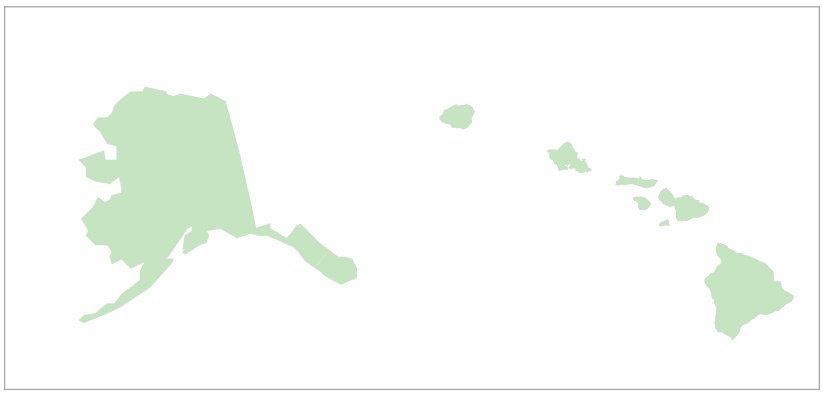
This section uses a chart and several colorful maps to illustrate nine different sex offender registration and notification requirements applied to children in the States. We chose the cross section of nine categories based on an assessment of the most frequently asked questions about how states include juveniles adjudicated delinquent in their sex offender registration and notification systems.

Readers will gain knowledge as to which states do not subject juveniles to registration, which states require juveniles to register for life, which states have children under the age of ten years old registering as sex offenders, and more.

Please note that this section is based on the snapshot taken on May 1, 2011. Since May several states have passed legislation in attempts to come into compliance with SORNA. The chart in this section will not reflect changes in state legislation made after May 1, 2011. See Section III Part C for a slightly more updated version of changes in state sex offender laws and the status of SORNA compliance.

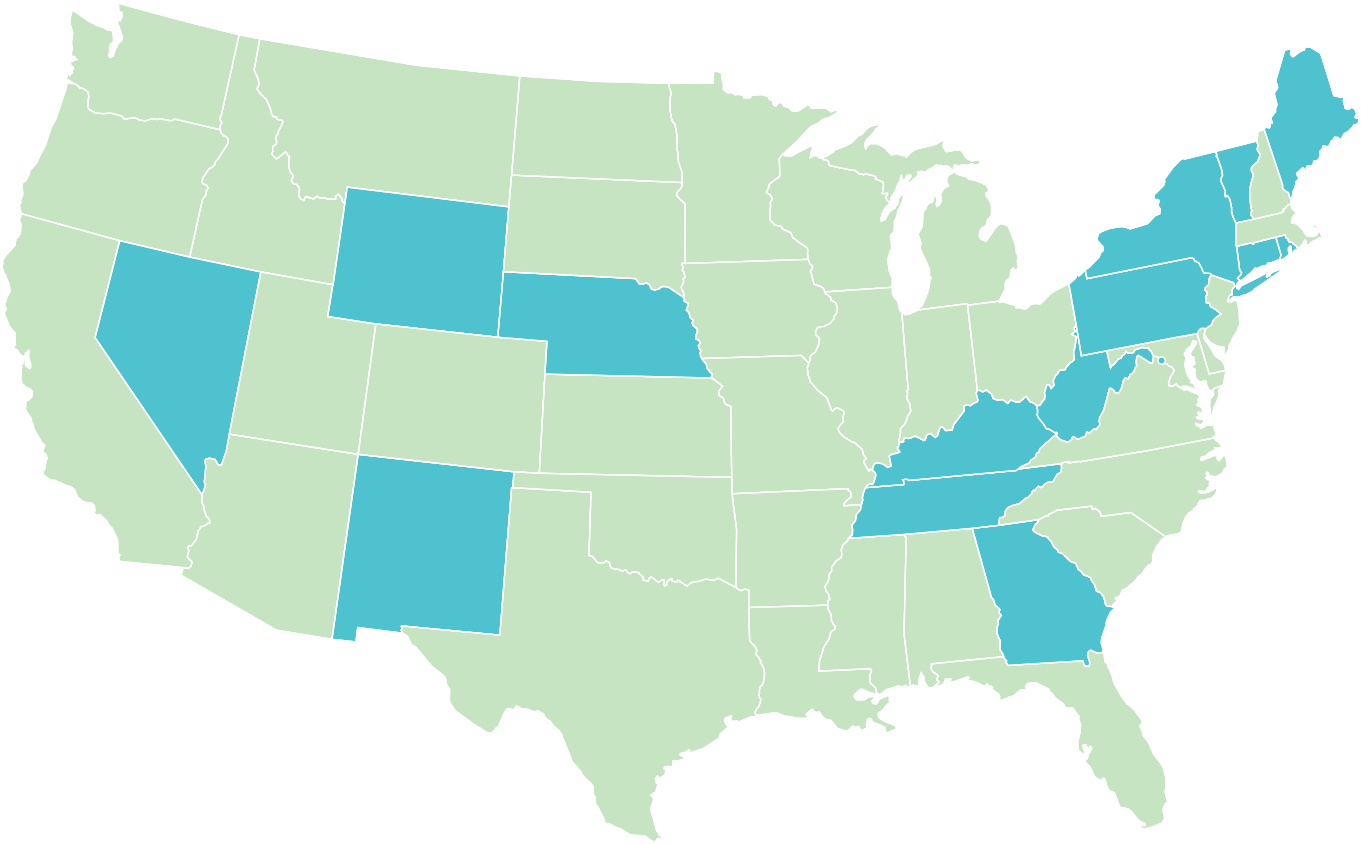
Juveniles adjudicated delinquent are subject to registration	Juveniles adjudicated delinquent are not subject to registration	Information pertaining to juveniles is not disclosed to the public	Requires lifetime registration	Juveniles, regardless of age, can be subject to registration requirements
Alabama Arizona Arkansas California Colorado Delaware Florida Idaho Illinois Indiana Iowa Kansas Louisiana Maryland Massachusetts Michigan Minnesota Mississippi Missouri Montana New Hampshire New Jersey North Carolina North Dakota Ohio Oklahoma Oregon South Carolina South Dakota Texas Utah Virginia[1] Washington Wisconsin	Alaska Connecticut District of Columbia Georgia Hawaii Kentucky Maine Nebraska Nevada New Mexico New York Pennsylvania Rhode Island Tennessee Vermont West Virginia Wyoming	Idaho Iowa[3] Kansas[4] Maryland Michigan[5] Minnesota[6] Missouri New Hampshire North Carolina Oklahoma Oregon South Carolina[7] Utah Vermont Virginia Wisconsin	California Florida Montana South Carolina Virginia Washington	Alabama Arizona Arkansas California Colorado Delaware Illinois Kansas Maryland (13) Massachusetts Michigan Minnesota Missouri Montana New Hampshire New Jersey North Carolina (11) North Dakota South Carolina Texas Utah Virginia (13) Washington Wisconsin
	Juveniles may petition for modification or removal of their registration	**Juveniles' duty to register terminates in accordance with state statutes, not prosecutorial discretion**	**Juveniles' registration and community notification requirements are subject to judicial discretion**	**Juveniles are not subject to the same registerable offenses as adults**
	Arkansas (age 21) California Colorado (age 18) Delaware Florida Illinois (2-5 years) Indiana Iowa Louisiana Massachusetts Michigan Minnesota Mississippi Montana New Jersey North Dakota Ohio Oregon (2-5 years) South Dakota Texas Virginia Washington[2]	Alabama (10 years) Idaho (age 21) Kansas (age 18 or 5 years, whichever is first) Maryland (up to 5 years) Missouri (age 21) New Hampshire (age 17) North Carolina (18th birthday or when juvenile court's jurisdiction ends) Oklahoma (age 21) South Carolina Utah Wisconsin	Alabama Arizona Arkansas Colorado Delaware Indiana Iowa Kansas Maryland Massachusetts Michigan Montana New Mexico North Carolina North Dakota Ohio Oklahoma Oregon Rhode Island South Carolina South Dakota Tennessee Texas Virginia Wisconsin	Alabama Arkansas California Florida Iowa Louisiana Maryland Mississippi Missouri New Mexico New York North Carolina North Dakota South Carolina South Dakota Texas Vermont





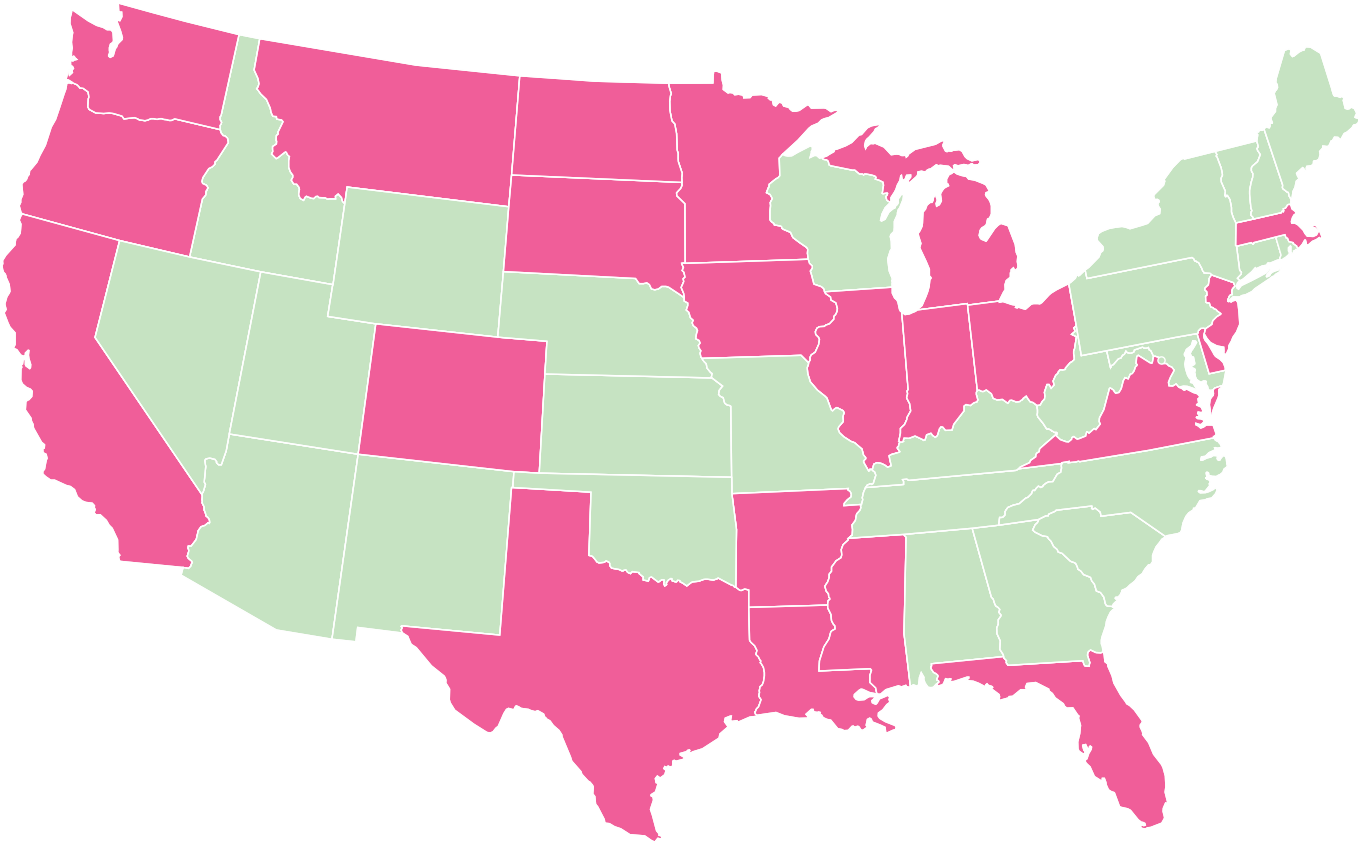
JUVENILES ADJUDICATED DELINQUENT ARE SUBJECT TO REGISTRATION

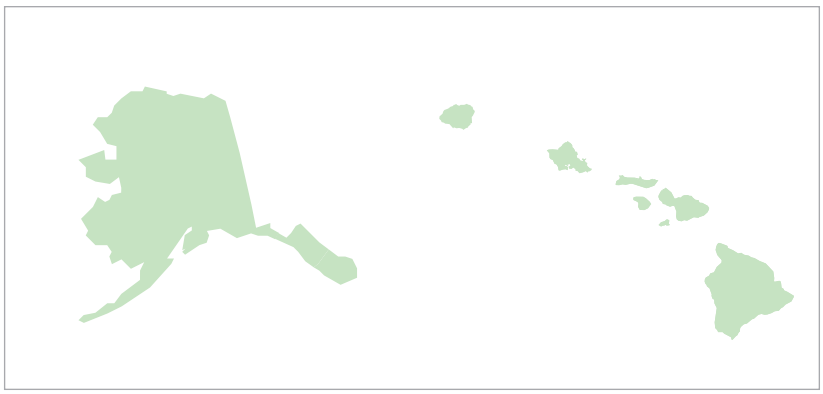
Alabama
Arizona
Arkansas
California
Colorado
Delaware
Florida
Idaho
Illinois
Indiana
Iowa
Kansas
Louisiana
Maryland
Massachusetts
Michigan
Minnesota
Mississippi
Missouri
Montana
New Hampshire
New Jersey
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
South Carolina
South Dakota
Texas
Utah
Virginia[1]
Washington
Wisconsin



JUVENILES ADJUDICATED DELINQUENT ARE NOT SUBJECT TO REGISTRATION

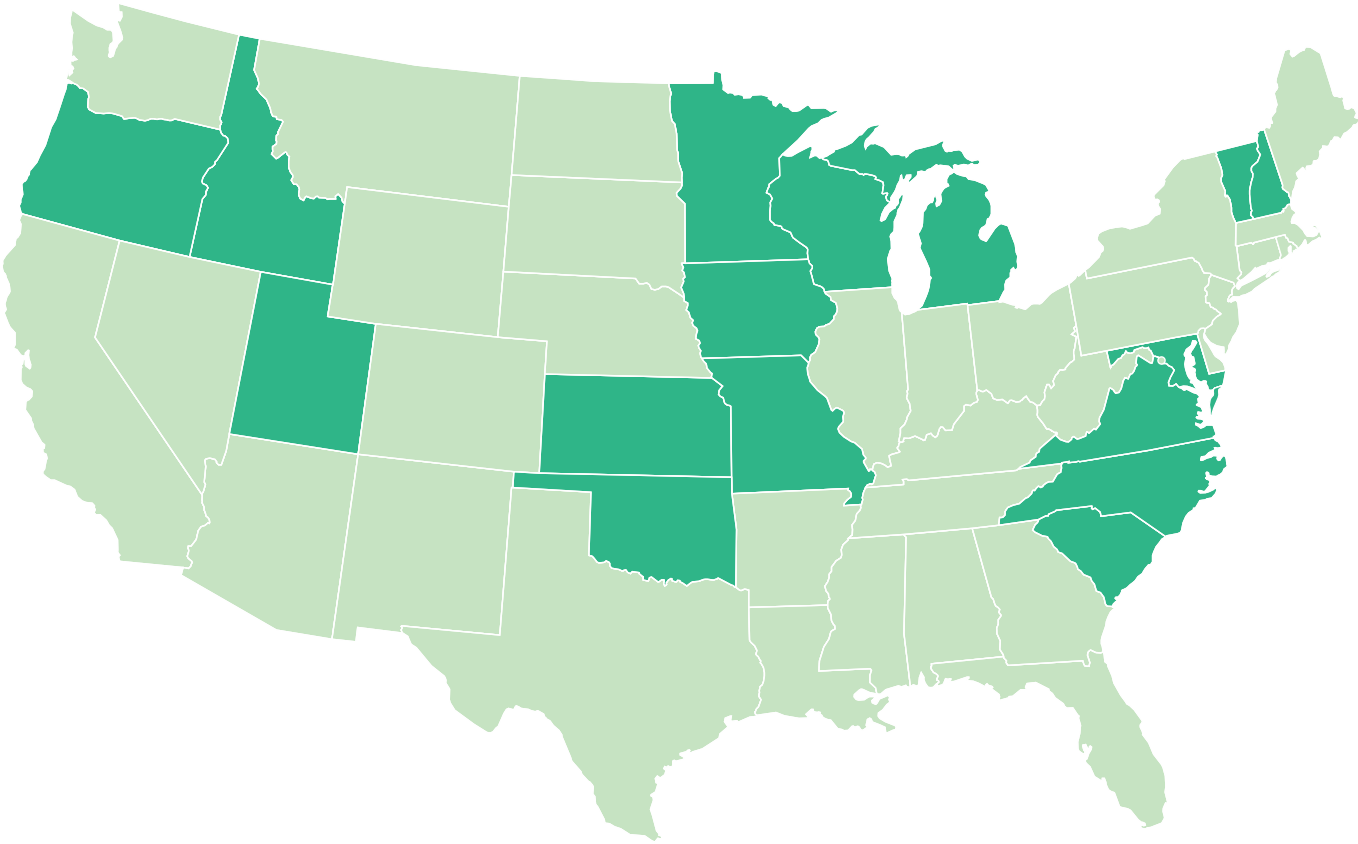
Alaska
Connecticut
District of Columbia
Georgia
Hawaii
Kentucky
Maine
Nebraska
Nevada
New Mexico
New York
Pennsylvania
Rhode Island
Tennessee
Vermont
West Virginia
Wyoming

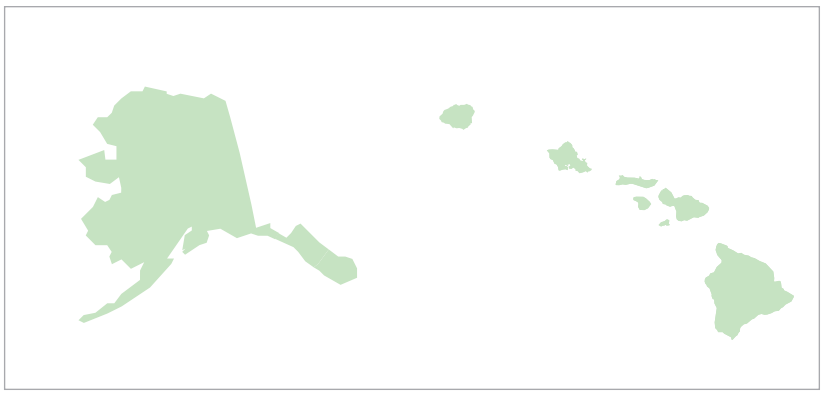




JUVENILES MAY PETITION FOR MODIFICATION OR REMOVAL OF THEIR REGISTRATION

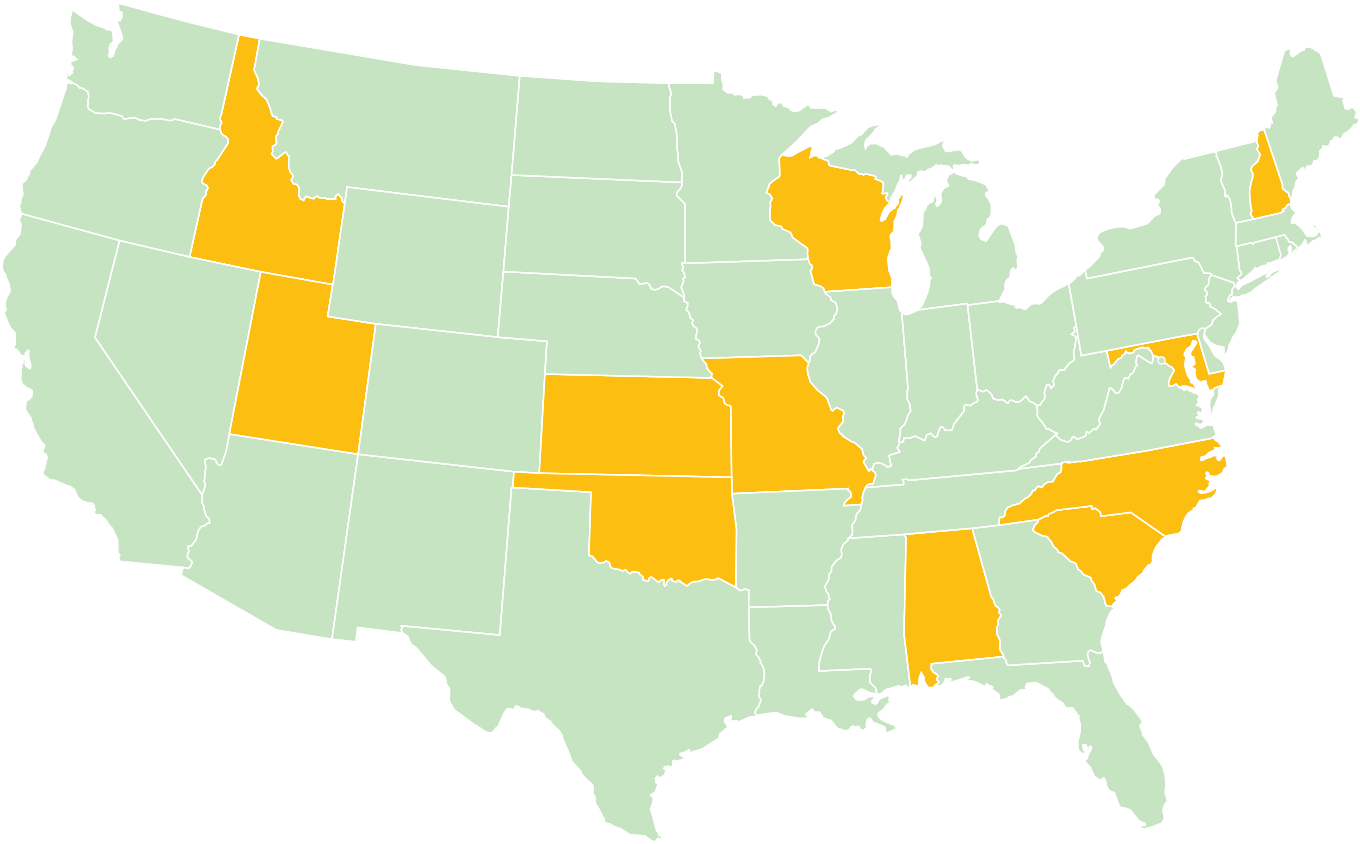
Arkansas (age 21)
California
Colorado (age 18)
Delaware
Florida
Illinois (2-5 years)
Indiana
Iowa
Louisiana
Massachusetts
Michigan
Minnesota
Mississippi
Montana
New Jersey
North Dakota
Ohio
Oregon (2-5 years)
South Dakota
Texas
Virginia
Washington[2]

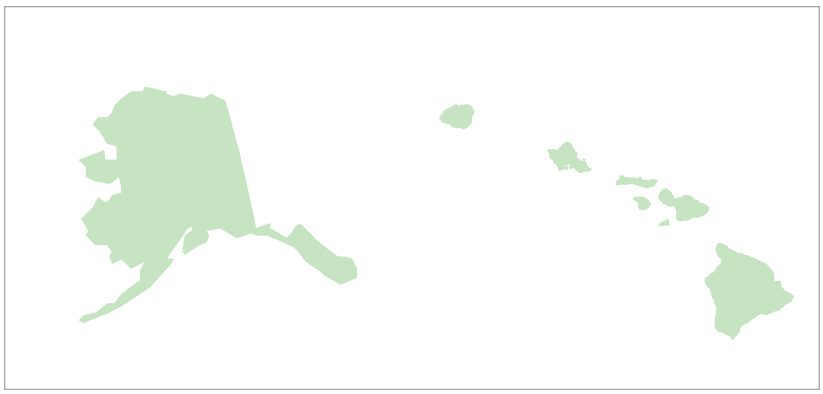




INFORMATION PERTAINING TO JUVENILES IS NOT DISCLOSED TO THE PUBLIC

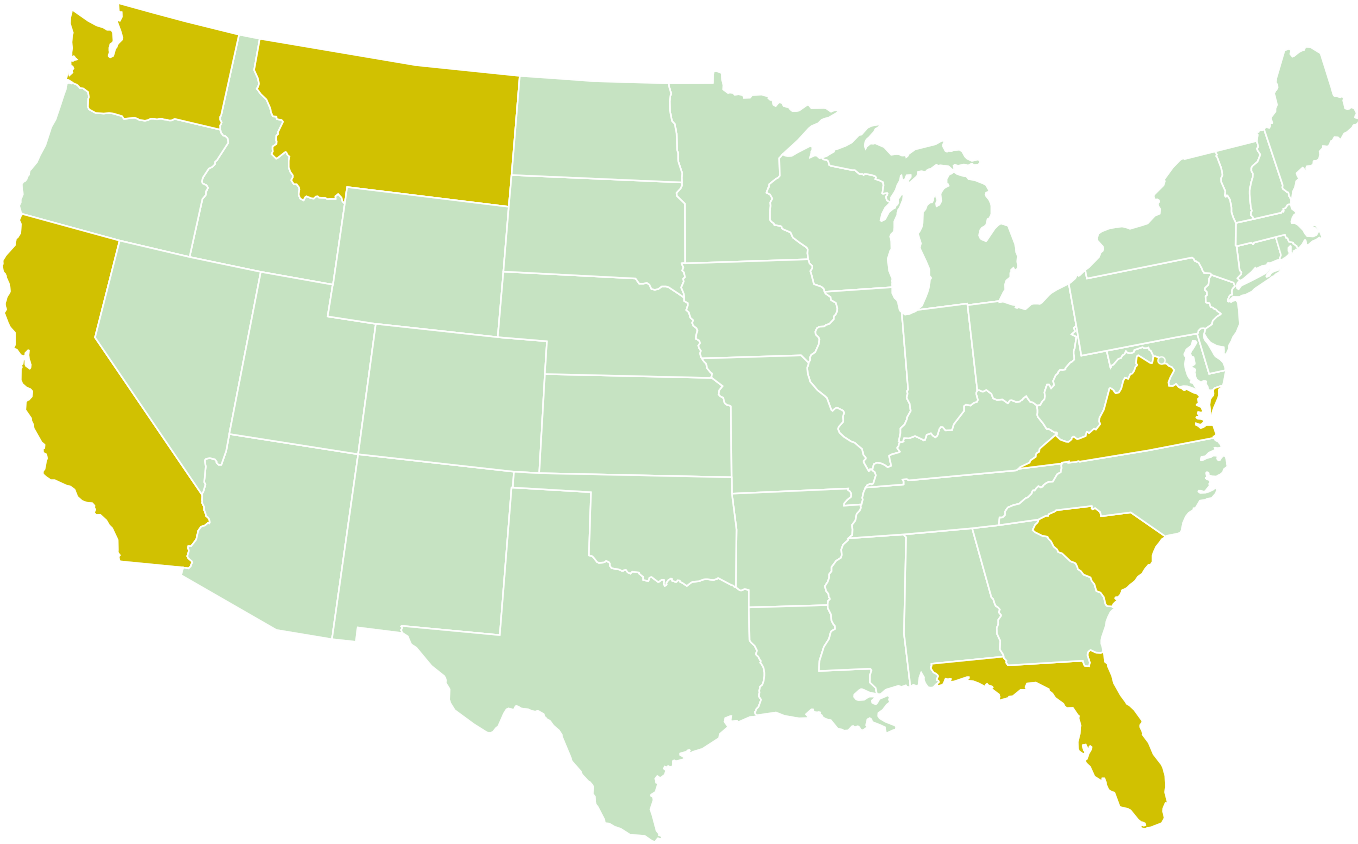
Idaho
Iowa[3]
Kansas[4]
Maryland
Michigan[5]
Minnesota[6]
Missouri
New Hampshire
North Carolina
Oklahoma
Oregon
South Carolina[7]
Utah
Vermont
Virginia
Wisconsin

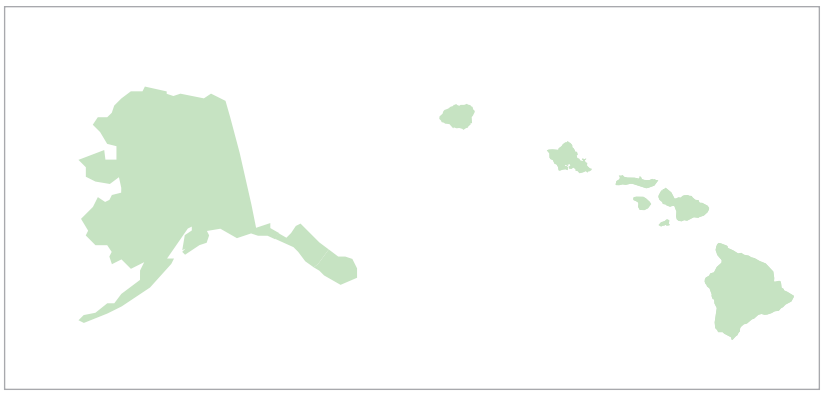




JUVENILES' DUTY TO REGISTER TERMINATES IN ACCORDANCE WITH STATE STATUTES, NOT PROSECUTORIAL DISCRETION

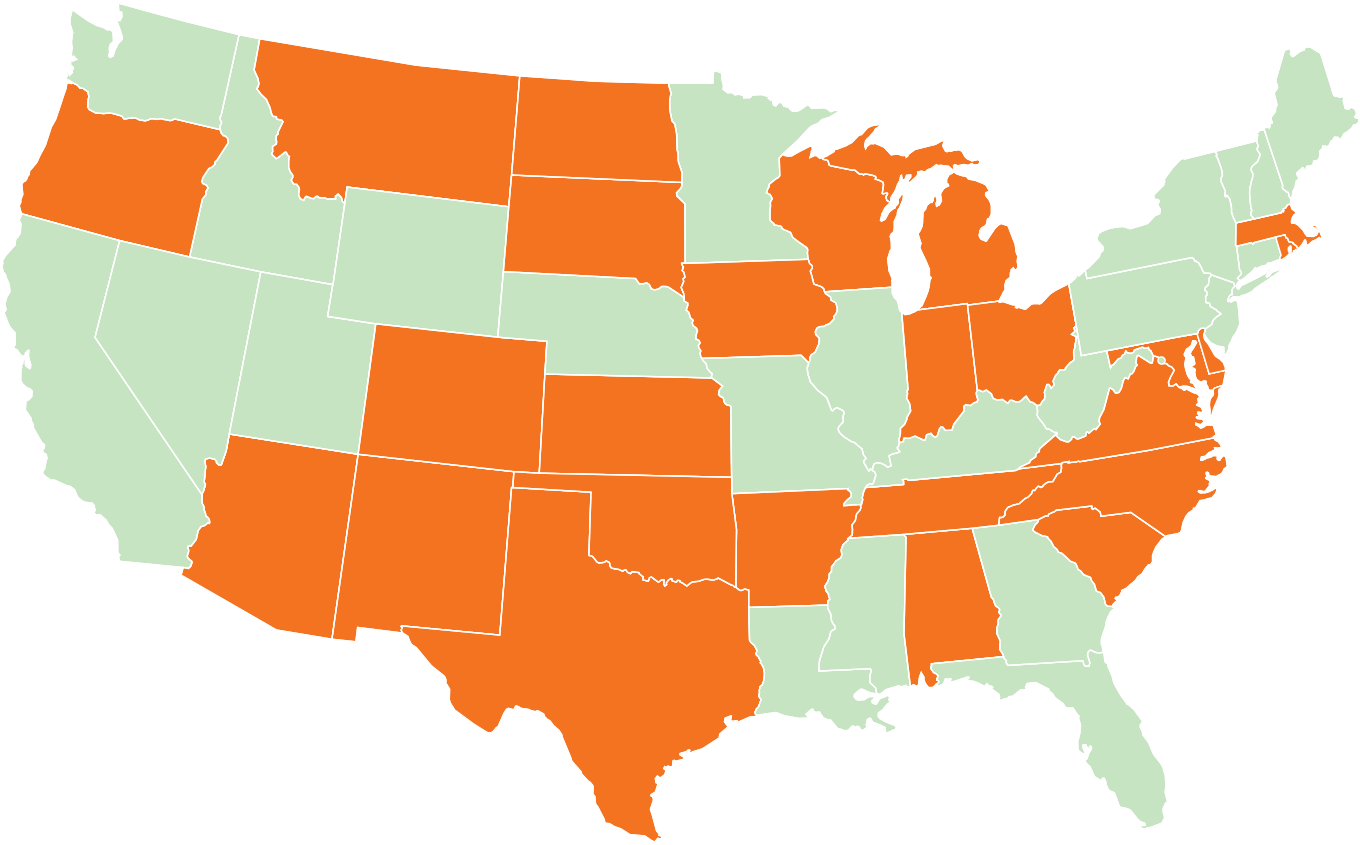
Alabama (10 years)
Idaho (age 21)
Kansas (age 18 or 5 years, whichever is first)
Maryland (up to 5 years)
Missouri (age 21)
New Hampshire (age 17)
North Carolina (18th birthday or when juvenile court's jurisdiction ends)
Oklahoma (age 21)
South Carolina
Utah
Wisconsin

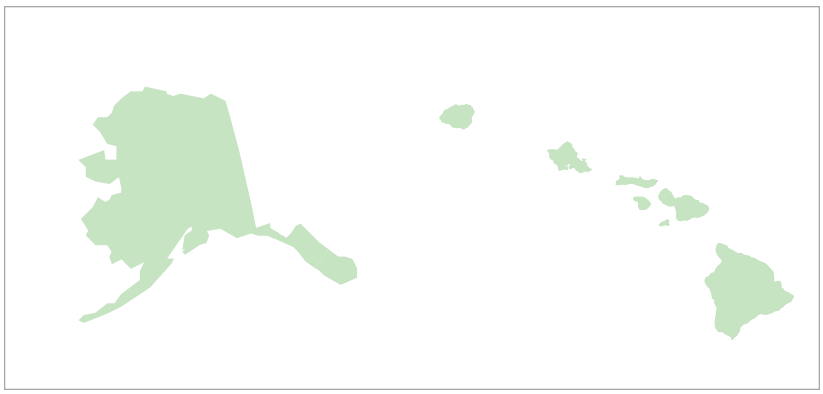




REQUIRES LIFETIME REGISTRATION

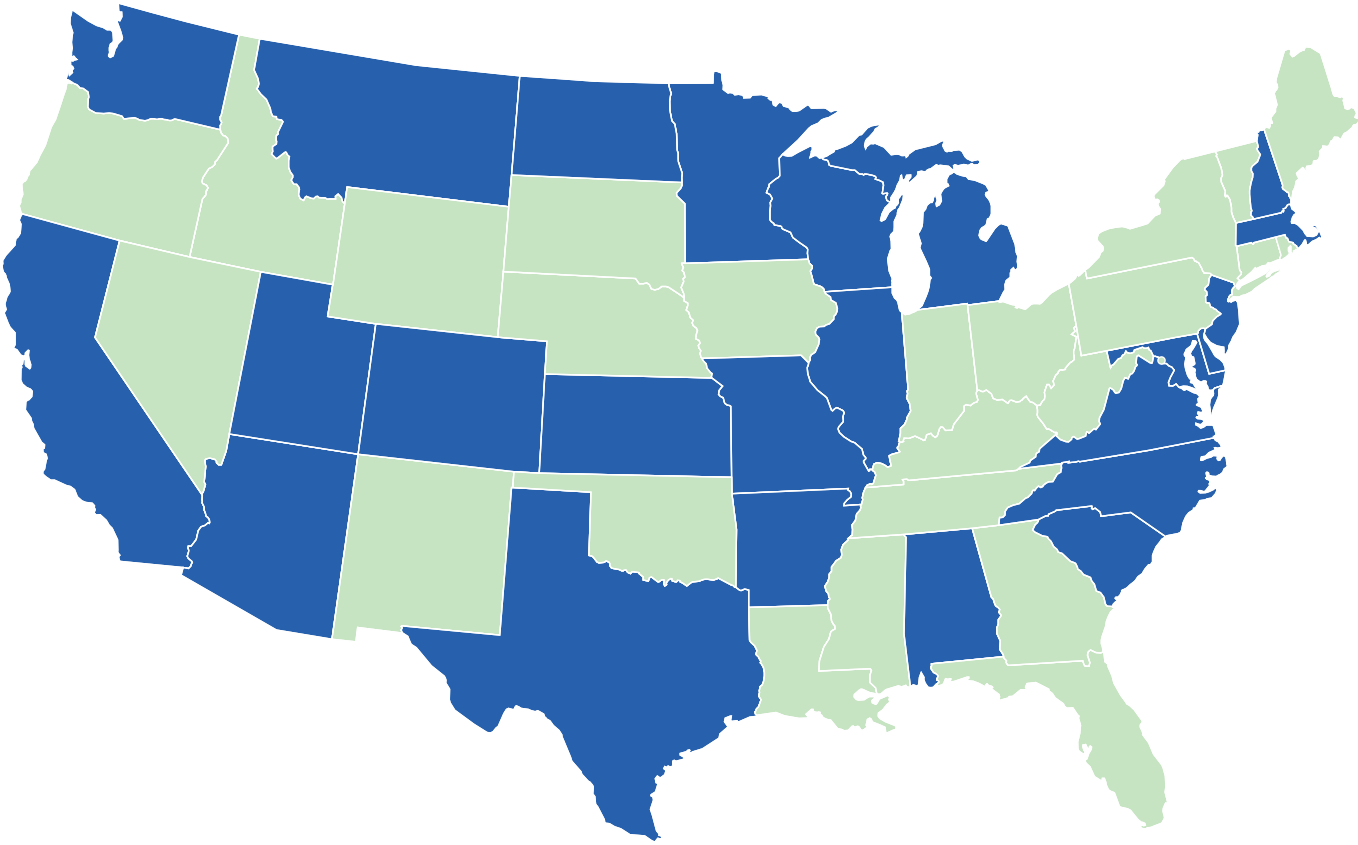
California
Florida
Montana
South Carolina
Virginia
Washington

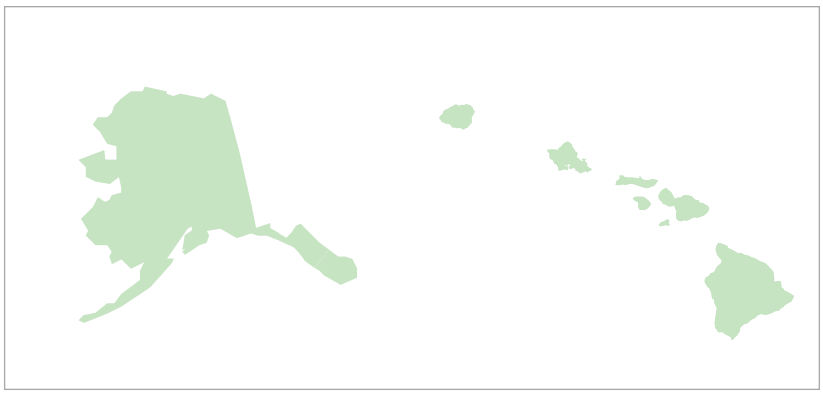




JUVENILES' REGISTRATION AND COMMUNITY NOTIFICATION REQUIREMENTS ARE SUBJECT TO JUDICIAL DISCRETION

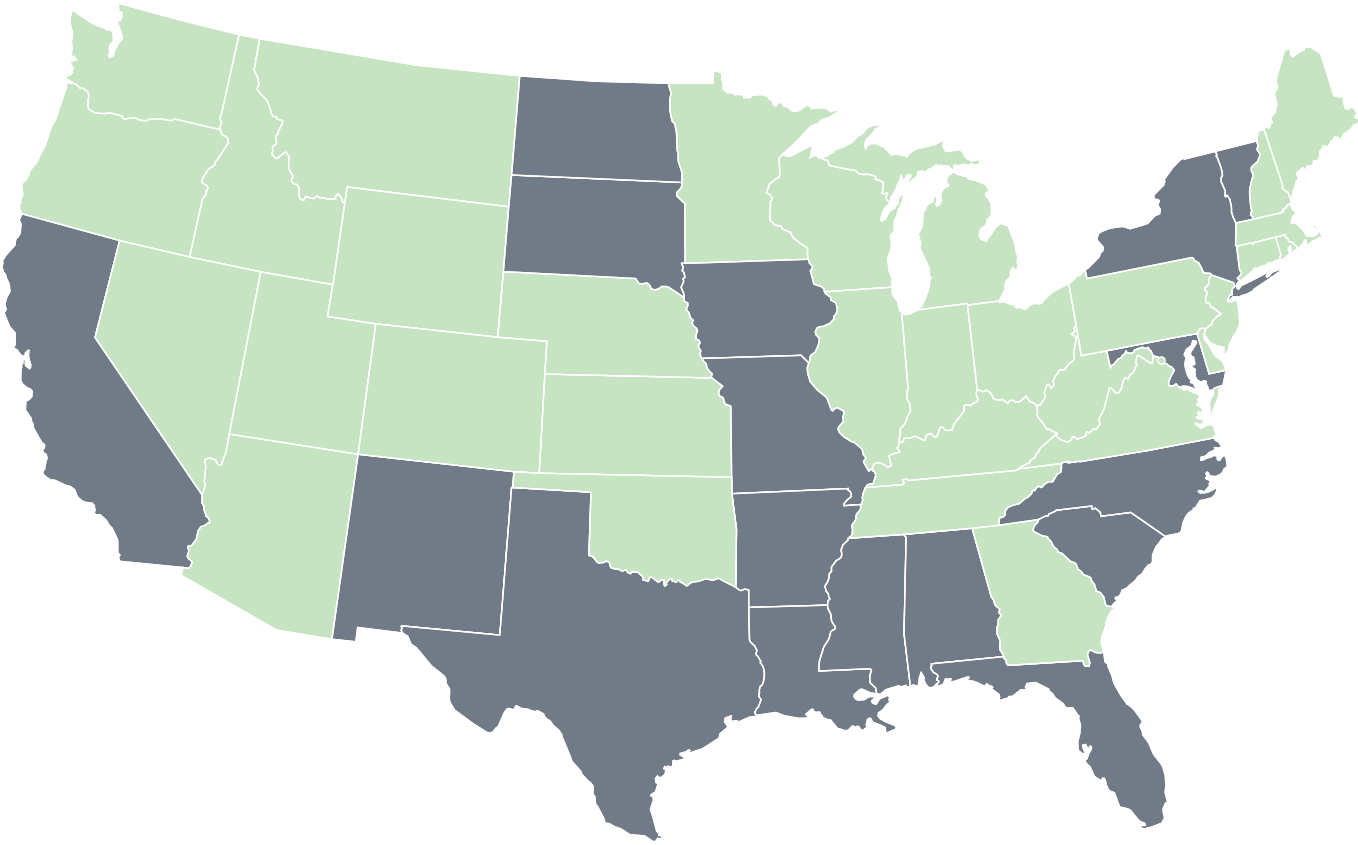
Alabama
Arizona
Arkansas
Colorado
Delaware
Indiana
Iowa
Kansas
Maryland
Massachusetts
Michigan
Montana
New Mexico
North Carolina
North Dakota
Ohio
Oklahoma
Oregon
Rhode Island
South Carolina
South Dakota
Tennessee
Texas
Virginia
Wisconsin

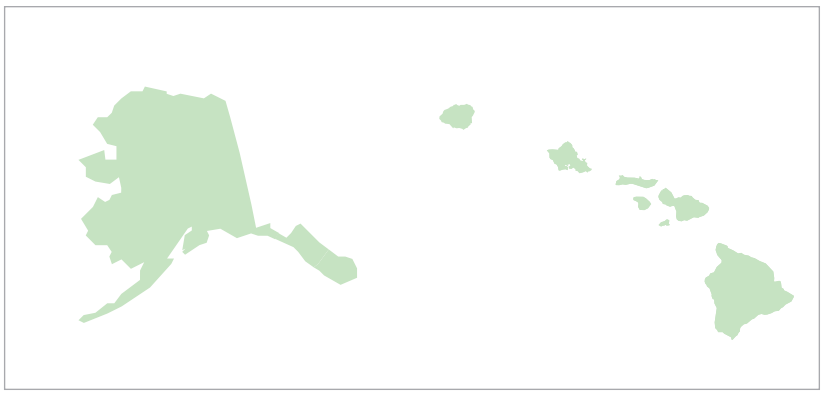




JUVENILES, REGARDLESS OF AGE, CAN BE SUBJECT TO REGISTRATION REQUIREMENTS

Alabama
Arizona
Arkansas
California
Colorado
Delaware
Illinois
Kansas
Maryland (13)
Massachusetts
Michigan
Minnesota
Missouri
Montana
New Hampshire
New Jersey
North Carolina (11)
North Dakota
South Carolina
Texas
Utah
Virginia (13)
Washington
Wisconsin





JUVENILES ARE NOT SUBJECT TO THE SAME REGISTERABLE OFFENSES AS ADULTS

Alabama
Arkansas
California
Florida
Iowa
Louisiana
Maryland
Mississippi
Missouri
New Mexico
New York
North Carolina
North Dakota
South Carolina
South Dakota
Texas
Vermont

SECTION IV ENDNOTES

[1] Applies to offenders over the age of 13 at the time of the offense, who is tried as a juvenile and is adjudicated delinquent on or after July 1, 2005, of any offense for which registration is required, the court may, in its discretion and upon motion of the Attorney General, require registration.

[2] Does not apply to convicted juveniles. Juveniles may petition if at least twenty-four months have passed since the adjudication and the petitioner has not been adjudicated of any additional sex offenses or kidnapping offenses during the twenty-four moths prior to filing the petition.

[3] An offender will not be placed on the public registry if he or she was less than 20 years old at the time of the offense.

[4] Court has discretion to order that registration be non-public

[5] Juvenile sex offenders will only appear on the public registry once they attain 18 years of age and only for certain offenses.

[6] Public registry is reserved for juvenile sex offenders at least 16 years of age and those out of compliance with registration duties.

[7] Juveniles less than 12 years old at time of offense are not on public registry.

CHART OF THE SEX OFFENDER REGISTRATION AND NOTIFICATION LAWS AS APPLIED TO CHILDREN IN THE STATES

This section provides an easy to read chart comparing the fourteen most significant aspects of juvenile sex offender registration, as identified by surveying juvenile public defenders around the country.

	ALABAMA	ALASKA	ARIZONA	ARKANSAS	CALIFORNIA
Are juveniles required to register	Yes	No, only juveniles convicted in adult court	Yes	Yes	Yes
Who is required to register and what is the extent of the court's discretion over a juvenile's registration requirements	Juveniles adjudicated for certain offenses must register. A court has discretion whether it will order public registration	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated for certain offenses may be required to register. Court has discretion to terminate duty to register [See Summary]	Juveniles adjudicated for certain offenses must register. Court has discretion	Juveniles adjudicated for listed offenses under Cal Penal Code §290.008 must register upon release from the California Youth Authority
Is there a non-public registry	Yes [See Summary]	No	Yes, for Level 1 offenders	No	Yes [See Summary]
Minimum age that a juvenile can be required to register	None	None	None	None	None
Minimum age for public registry	None	None	None	None	None
Registerable Offenses	Juveniles adjudicated delinquent only for certain offenses [See Summary]	Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Juveniles adjudicated delinquent only for certain offenses [See Summary]	Juveniles adjudicated delinquent only for certain offenses [See Summary]
Length of Registration	Duty to register terminates after 10 years	Juveniles adjudicated delinquent are not required to register	Duty to register terminates when juvenile turns 25	Duty to register terminates when juvenile turns 21 or after 10 years, whichever is longer	Lifetime Registration
Frequency of Registration	Annually	Juveniles adjudicated delinquent are not required to register	Annually	Level I, II, or III must register semi-annually Level IV must register quarterly	Annually Sexually violent predators- every 90 days
Community Notifications	Certain juvenile offenders are subject to the Community Notification Act, if identified as serious threats to the public [See Summary]	Juveniles adjudicated delinquent are not required to register	Adjudicated juveniles not subject to community notification [See Summary]	At discretion of law enforcement	Public Website
Additional restrictions that apply to registrants	N/A	Juveniles adjudicated delinquent are not required to register	N/A	N/A	Same as for adults [See Summary]
Registration requirements for an incoming juvenile	A juvenile who is required to register in another jurisdiction, must register in Alabama. Must register within 5 days	A juvenile who is required to register in another jurisdiction, must register in Alaska	A juvenile who is required to register in another jurisdiction, must register in Arizona. Must register within 10 days	Incoming juvenile sex offenders are exempt from registration [See Summary]	A juvenile who is required to register in another jurisdiction, must register in California
Requirements for a juvenile sex offender moving	Must register in new county within 7 days. If moving out of state, must notify sheriff at least 14 days prior to the move	Juveniles adjudicated delinquent are not required to register	Must notify sheriff within 72 hours of moving	Must notify 10 days prior to moving	Must notify the local law enforcement within 5 days of any change in residence
Can juveniles petition	No, but duty to register automatically terminates after 10 years	Juveniles adjudicated delinquent are not required to register	No, but duty to register automatically terminates at age 25	Yes [See Summary]	Yes [See Summary]
Registration requirements for temporary residence, traveling, or visiting	Must register if present for more than 3 consecutive days or 10 days in a month	N/A	Must register if present for more than 10 days	N/A	Must register if staying for more than 14 days, or 30 aggregate days in a calendar year
Source	Registration of Sex Offenders, ALA. CODE §§ 13A-11-200 to -204; ALA. CODE §§ 15-20-1 to -38	ALASKA STAT. §§ 12.63.010 to 100; ALASKA STAT. § 18.65.087; ALASKA STAT. § 28.05.048	Registration of Sex Offenders, ARIZ. REV. STAT. ANN. §§ 13-3821 to -3829	ARK. CODE ANN. § 9-27-356; ARK. CODE ANN. §§ 5-14-128 to -132; ARK. CODE ANN. §§ 12-12-901; ARK. CODE ANN. § 12-12-1513	CAL. PENAL CODE §§ 290-294

COLORADO	CONNECTICUT	DELAWARE	DC	FLORIDA	GEORGIA
Yes	No, only juveniles convicted in adult court	Yes	No, only juveniles convicted in adult court	Yes	No, only juveniles convicted in adult court
Juveniles adjudicated delinquent or juveniles convicted as adults must register. Court has discretion in certain circumstances [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent or juveniles convicted as adults must register [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent or juveniles convicted as adults must register for certain offenses	Juveniles adjudicated delinquent are not required to register
No. However, juveniles adjudicated delinquent are not disclosed on public registry	No	Yes, Tier 1 Offenders are placed on this registry	No	No	No
None	None	None	Juveniles adjudicated delinquent are not required to register	Must have been at least 14 at the time of the offense	None
None	None	None	None	14	None
Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent only for certain offenses [See Summary]	Juveniles adjudicated delinquent are not required to register
Class 4, 5, or 6 Felony or the Class 1 Misdemeanor- 10 years; For a Class 1, 2, or 3 Felony- 20 years; Sexually violent predators- Lifetime Registration	Juveniles adjudicated delinquent are not required to register	Tier 1 - 15 years Tier 2 - 25 years Tier 3 - Lifetime Registration	Juveniles adjudicated delinquent are not required to register	Lifetime Registration	Juveniles adjudicated delinquent are not required to register
Annually Sexually violent predators - quarterly	Juveniles adjudicated delinquent are not required to register	Tier 1 - Annually Tier 2 - Semi-annually Tier 3 - Quarterly	Juveniles adjudicated delinquent are not required to register	Quarterly or Semi-annually, depending on the offense	Juveniles adjudicated delinquent are not required to register
Only juveniles with a second or subsequent adjudication are subject to public disclosure [See Summary]	Juveniles adjudicated delinquent are not required to register	Only Tier 2 and Tier 3 Offenders are subject to community notification [See Summary]	Juveniles adjudicated delinquent are not required to register	At discretion of law enforcement	Juveniles adjudicated delinquent are not required to register
N/A	Juveniles adjudicated delinquent are not required to register	N/A	Juveniles adjudicated delinquent are not required to register	Same as for adults with exceptions in some municipalities [See Summary]	Juveniles adjudicated delinquent are not required to register
A juvenile who is required to register in another jurisdiction, must register in Colorado. Must register within 5 days	Incoming juveniles adjudicated delinquent are not required to register	A juvenile who is required to register in another jurisdiction, must register in Delaware	Incoming juveniles are not required to register	A juvenile who is required to register in another jurisdiction, must register in Florida. Must register within 48 hours	A juvenile who is required to register in another jurisdiction, must register in Georgia. Must register within 72 hours
Must notify within 5 days of moving	Juveniles adjudicated delinquent are not required to register	Must notify within 3 days of moving	Juveniles adjudicated delinquent are not required to register	Must notify 48 hours prior to moving	Juveniles adjudicated delinquent are not required to register
Yes [See Summary]	Juveniles adjudicated delinquent are not required to register	Yes [See Summary]	Juveniles adjudicated delinquent are not required to register	Yes [See Summary]	Juveniles adjudicated delinquent are not required to register
Must register if present for more than 14 days	N/A	Must register if present for more than 7 days consecutively or 30 aggregate days in a calendar year	N/A	Must register if staying for 5 or more days	Must register if in Georgia for a period exceeding 14 consecutive days, or exceeding 30 days aggregate in a calendar year
COLO. REV. STAT. 16-13-903; COLO. REV. STAT. 16-22-101 to -115; COLO. REV. STAT. 18-3-412.5	Registration of Sexual Offenders, CONN. GEN. STAT. §§ 54-250 to -261	DEL. CODE ANN. tit. 11 §§ 4120 to 4122; DEL. CODE ANN. tit. § 4336	Sex Offender Registration, D.C. CODE §§ 22-4001 to -4017	FLA. STAT. § 943.0435; FLA. STAT. § 944.607	Sexual Offender Registration Review Board, GA. CODE ANN. §§ 42-1-12 to -15

	HAWAII	IDAHO	ILLINOIS	INDIANA	IOWA
Are juveniles required to register	No	Yes	Yes	Yes	Yes
Who is required to register and what is the extent of the court's discretion over a juvenile's registration requirements	Juveniles adjudicated delinquent are not required to register	Juveniles convicted as adults or adjudicated delinquent must register	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles convicted as adults or adjudicated delinquent must register. Court has discretion
Is there a non-public registry	Juveniles adjudicated delinquent are not required to register	No. However, juvenile sex offenders are placed on a separate registry	No	No	No. However, an offender will not be placed on website registry if he or she was under 20 years old at the time of the offense
Minimum age that a juvenile can be required to register	Juveniles adjudicated delinquent are not required to register	Must have been at least 14 at the time of the offense	None	Must have been at least 14 at the time of the offense	Must have been at least 14 at the time of the offense
Minimum age for public registry	None	14	None	14	14
Registerable Offenses	Juveniles adjudicated delinquent are not required to register	Same as for adults with the exception of the Romeo and Juliet provision [See Summary]	Same as for adults [See Summary]	Same as for adults [See Summary]	Juveniles adjudicated delinquent only for certain offenses [See Summary]
Length of Registration	Juveniles adjudicated delinquent are not required to register	Duty to register terminates at age 21	10 years Lifetime for sexual predators	10 years Lifetime for violent sexual offenders	10 years
Frequency of Registration	Juveniles adjudicated delinquent are not required to register	Annually	Annually	Annually	Tier 1 - Annually Tier 2 - Semi-annually Tier 3 - Quarterly
Community Notifications	Juveniles adjudicated delinquent are not required to register	None [See Summary]	Public Website	Public Website	Public Website. Exception for offenders under 20 at the time of the offense
Additional restrictions that apply to registrants	Juveniles adjudicated delinquent are not required to register	It is a felony for juveniles to accept employment at certain places [See Summary]	School and park legislation restrictions for child sex offenders do not apply to the adjudicated juvenile delinquent sex offender	None	N/A
Registration requirements for an incoming juvenile	Juveniles do not have a duty to register. Hawaii does not honor laws of original state of jurisdiction	A juvenile who is required to register in another jurisdiction, must register in Idaho. Must register within 10 days	A juvenile who is required to register in another jurisdiction, must register in Illinois within 5 days	A juvenile who is required to register in another jurisdiction, must register in Indiana. Must register within 72 hours	A juvenile who is required to register in another jurisdiction, must register in Iowa
Requirements for a juvenile sex offender moving	Juveniles adjudicated delinquent are not required to register	Must provide notice of new address within 5 days of moving from Idaho, and must register in the new state within 10 days of moving	Juveniles must report in person to law enforcement agency 10 days prior to changing residence	Must report any changes in address to local law enforcement within 72 hours of moving	Must report in person upon change of address within 5 days
Can juveniles petition	Juveniles adjudicated delinquent are not required to register	No, but juveniles are automatically terminated from the registry at age 21	Yes [See Summary]	Yes [See Summary]	Yes [See Summary]
Registration requirements for temporary residence, traveling, or visiting	N/A	Must register within 2 days of entering Idaho either for permanent or temporary residence	Must register if visiting for more than 3 cumulative days in a calendar year	Must register if spending or intending to spend at least 7 days (including part of a day) in Indiana during a 180 day period	Must appear in person to notify sheriff if staying somewhere other than primary residence for more than 5 days
Source	Registration of Sex Offenders and Other Covered Offenders and Public Access To Registration Information; Hawaii Rev. Stat §§ 846E-1 to -13	Juvenile Sex Offender Registration Notification and Community Right-To-Know-Act, Idaho Code Ann. §§ 18-8301 to -8331	Sex Offender Registration; Sex Offender and Child Murderer Community Notification; 730 Ill. Comp. Stat. 150/1 - 152/999	Sex and Violent Offender Registration, Ind. Code Ann. §§ 11-8-8-1 to -22	Sex Offender Registry, Iowa Code §§ 692A.1 - 692A.16; Juvenile Sex Offenders; Registration; Community Notification, 441 Iowa Code 103.33(692A)

KANSAS	KENTUCKY	LOUISIANA	MAINE	MARYLAND	MASSACHUSETTS
Yes	No	Yes	No, only juveniles convicted in adult court	Yes	Yes
Juveniles adjudicated delinquent or juveniles convicted as adults must register. Court has discretion	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent for certain offenses must register	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Adjudicated juveniles may be ordered to register upon an individualized hearing [See Summary]
Yes [See Summary]	No	No	No	Yes. Juveniles adjudicated delinquent are kept on a separate database only accessible to law enforcement personnel	Yes, for Level 1 Offenders
None	Juveniles adjudicated delinquent are not required to register	Must have been at least 14 at the time of the offense	None	Must have been at least 13 at the time of the offense	None
None	None	14	None	Juveniles adjudicated delinquent are not disclosed on the public registry	None
Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent only for certain offenses [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent of certain offenses are listed on a separate public registry [See Summary]	Same as for adults [See Summary]
Until age 18 or for 5 years, whichever occurs later	Juveniles adjudicated delinquent are not required to register	15 years, 25 years, or Lifetime depending on the offense	Juveniles adjudicated delinquent are not required to register	Up to 5 years or when court's jurisdiction ends [See Summary]	Juveniles are subject to registration for 20 years Sexually Violent Predators are subject to lifetime registration
Must report in person 3 times a year	Juveniles adjudicated delinquent are not required to register	Quarterly, Semi-annually, or Annually depending on the offense	Juveniles adjudicated delinquent are not required to register	Tier 1 and 2 - Semi-annually Tier 3 - Quarterly	Annually
Public Website	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are exempt from notification [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not disclosed on public registry [See Summary]	Same as for adults [See Summary]
Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Court has discretion to impose restrictions [See Summary]	Same as for adults [See Summary]
A juvenile who is required to register in another jurisdiction, must register in Kansas. Must register within 10 days	A juvenile who is required to register in another jurisdiction, must register in Kentucky. Must register within 5 days	A juvenile who is required to register in another jurisdiction, must register in Louisiana within 3 days	Incoming adjudicated juveniles are not required to register. Only incoming juveniles that were convicted as adults must register	A juvenile who is required to register in another jurisdiction, must register in Maryland. Must register with local law enforcement in county of residence within 3 days of entering Maryland	A juvenile who is required to register in another jurisdiction, must register in Massachusetts. Must register within 2 days
Must inform the Kansas Bureau of Investigation and must register in new state within 10 days of such change in residence	Juveniles adjudicated delinquent are not required to register	Must notify the bureau of intent to establish a residence in other state within 3 days of leaving to establish residence in another state	Juveniles adjudicated delinquent are not required to register	Must register with the designated law enforcement unit of the new state of residence within 3 days after the change	Must give notification at least 10 days prior to moving
No	Juveniles adjudicated delinquent are not required to register	Yes [See Summary]	Juveniles adjudicated delinquent are not required to register	No, juveniles are automatically removed from the registry when the juvenile court's jurisdiction ends [See Summary]	Yes [See Summary]
Within 10 days of coming into Kansas, the offender must register with the sheriff if temporarily staying in county for 10 or more days	N/A	Must notify within 3 business days of travel route and lodging if planning to stay 7 or more consecutive days	N/A	N/A	Must register if staying for 14 or more days total during any calendar year, or staying at a place where the sex offender routinely lives, abides, lodges, or resides for a period of 4 or more consecutive or nonconsecutive days in any month
Offender Registration, KAN. STAT. ANN. §§ 22-4901 to -491	Sex Offender Registration, KY. REV. STAT. ANN. §§ 17.495 to 580; Treatment of Juvenile Sex Offenders KY. REV. STAT. ANN. § 635.500 to 545	Registration of Sex Offenders, Sexually Violent Predators, and Child Predators, LA. REV. STAT. ANN. 15:540 to 552	Sex Offender Registration and Notification, ME. REV. STAT. tit. 34-A, §§ 11201 to 11256	MD. CODE. ANN., CRIM. PROC. §§ 11-701 to 11-727	Sex Offender Registration, MASS. GEN. LAWS ch. 6 § 178(C) - (Q)

	MICHIGAN	MINNESOTA	MISSISSIPPI	MISSOURI	MONTANA
Are juveniles required to register	Yes	Yes	Yes	Yes	Yes
Who is required to register and what is the extent of the court's discretion over a juvenile's registration requirements	Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register. After Oct. 1, 2004, exceptions apply for juveniles assigned Youth Trainee Status under HYTA [See Summary]	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles adjudicated delinquent for a listed offense using force or juveniles convicted as adults must register	Juveniles adjudicated delinquent or juveniles convicted as adults must register. Adjudicated juveniles can be required to register under two separate statutes [See Summary]	Juveniles adjudicated delinquent or juveniles convicted as adults must register. Youth Court judges have discretion to impose adult registration requirements [See Summary]
Is there a non-public registry	Yes. Offenders under 18 are required to register on a non-public registry [See Summary]	No	No	Yes. Information of juvenile registrants is kept confidential and may only be released to certain agencies	No
Minimum age that a juvenile can be required to register	None	None	Must have been at least 14 at the time of the offense	None for non-public. 14 for public registry as adult offender	None
Minimum age for public registry	18. 17 for HYTA [See Summary]	16. Only non-compliant offenders are placed on public registry	14	None	None
Registerable Offenses	Same as for adults [See Summary]	Same as for adults [See Summary]	Juveniles adjudicated delinquent for certain offenses are required to register [See Summary]	Juveniles adjudicated for certain offenses are required to register either as adult offenders or juvenile offenders [See Summary]	Same as for adults [See summary]
Length of Registration	Adjudicated juveniles have a duty to register until their 18th birthday; Juveniles assigned Youth Trainee Status are required to register for 10 or 25 years after release [See Summary]	10 years or the duration of probation, whichever is longer	At least 25 years or lifetime for certain offenders	Adjudicated juveniles have a duty to register until age 21 Lifetime for adjudicated juveniles required to register as adult offenders [See Summary]	A sexual offender is subject to lifetime registration A violent offender must register for at least 10 years.
Frequency of Registration	Annually for misdemeanor convictions; Quarterly for felony convictions	Annually	Every 90 days	Semi-annually	Level 1 - Annually Level 2 - Every 180 days Level 3 - Every 90 days
Community Notifications	Juveniles are not subject to community notification while under the age of 18	Juveniles adjudicated delinquent are exempt, unless they not in compliance with registration [See Summary]	Public Website	Juveniles adjudicated delinquent are not disclosed on public registry [See Summary]	Public Website
Additional restrictions that apply to registrants	Same as for adults with some exceptions [See Summary]	N/A	Minors are exempt from residential restrictions [See Summary]	N/A	Court has discretion for Tier III offenders [See Summary]
Registration requirements for an incoming juvenile	A juvenile who is required to register in another jurisdiction, must register in Michigan. Must register within 10 days	A juvenile who is required to register in another jurisdiction, must register in Minnesota	A juvenile who is required to register in another jurisdiction, must register in Mississippi. Must notify the Department of Public Safety 10 days before entering Mississippi and appear in person to sheriff within 3 business days	A juvenile who is required to register in another jurisdiction, must register in Missouri; Must register within 10 days	A juvenile who is required to register in another jurisdiction, must register in Montana. Must register within 3 days
Requirements for a juvenile sex offender moving	Must notify law enforcement of new address 10 days prior to moving	Must notify law enforcement 5 days prior to establishing new residence	Must give notification at least 10 days prior to moving	Must give notification of address change within 3 days	Must notify in person within 3 business days of the change at registration agency
Can juveniles petition	Yes [See Summary]	Yes [See Summary]	Yes [See Summary]	No, the registration requirement automatically ends when the juvenile turns 21 [See Summary]	Yes [See Summary]
Registration requirements for temporary residence, traveling, or visiting	Same as for adults [See Summary]	Must register if entering Minnesota to reside, work, or attend school, or entering the state and remaining for 14 days or longer	Must register if staying for 14 or more days total during any calendar year or 4 or more consecutive or nonconsecutive days in any month	Must register if residing for more than 7 days in a twelve-month period	Must register within 3 business days of entering Montana for the purpose of residing or setting up a temporary residence for 10 or more consecutive days or for an aggregate period exceeding 30 days in a calendar year
Source	Sex Offenders Registration, MICH. COMP. LAWS §§ 28.721 to 28.736	Registration of Predatory Offenders, MINN. STAT. § 243.166	Registration of Sex Offenders, MISS. CODE ANN. §§ 45-33-21 to 45-33-59	Registration of Offenders, MO. REV. STAT. §§ 589.400 - 589.425; Registration of Juvenile Offenders, MO. REV. STAT. § 211.425	Youth Court Act, MONT. CODE ANN. §§ 41-5-102 to 41-5-113; Registration of Sexual and Violent Offenders, MONT. CODE ANN. §§ 46-23-501 to 46-23-520

NEBRASKA	NEVADA	NEW HAMPSHIRE	NEW JERSEY	NEW MEXICO	NEW YORK
No, only juveniles convicted in adult court	No, only juveniles convicted in adult court	Yes	Yes	No	No, only juveniles convicted in adult court
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Delinquent offenders are not required to register. However, court has discretion to impose registration on juveniles	Juveniles adjudicated delinquent are not required to register [See Summary]
No	No	Yes. Juveniles adjudicated delinquent are kept on a separate database	No	Yes [See Summary]	No
None	None	None	None	Must have been at least 14 at the time of the offense	None
None	None	None	None	14	14
Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Juveniles adjudicated delinquent of certain offenses are listed on a separate public registry [See Summary]	Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Adjudicated juveniles have a duty to register until age 17 [See Summary]	At least 15 years	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Annually Every 90 days for violent offenders	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Same as for adults. Court has discretion to impose notification requirements on juveniles adjudicated delinquent [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	N/A	Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
A juvenile who is required to register in another jurisdiction, must register in Nebraska	A juvenile who is required to register in another jurisdiction, must register in Nevada	A juvenile who is required to register in another jurisdiction, must register in New Hampshire. Must register within 5 days	A juvenile who is required to register in another jurisdiction, must register in New Jersey. Must register within 10 days	A juvenile who is required to register in another jurisdiction, must register in New Mexico	A juvenile who is required to register in another jurisdiction, must register in New York. Must register within 10 days
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Must notify within 5 days of change in address, place of employment, or school	Must notify law enforcement 10 days prior to establishing new residence	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	No, duty to register ends at age 17 [See Summary]	Yes. May petition at age 18 if offense was committed when offender was under 14 years of age [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Must register in Nebraska if staying for a period of at least 3 working days	N/A	Must register if staying for more than 5 days during a one month period	Must register if staying in state for more than 14 consecutive days or for an aggregate period exceeding 30 days in a calendar year	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register
Sex Offender Registration; Sexual Predator Residency Restriction, NEB. REV. STAT. §§ 29-4001 to 29-4017	NEV. REV. STAT. §§ 179D.010 to 179D.850; NEV. REV. STAT. §§ 62F.200 to 62F.260	Registration of Criminal Offenders, N.H. REV. STAT. ANN. 651-B:1 to 651-B:12	Procedures Following Release of Sex Offenders, N.J. STAT. ANN. 2C:7-1 to -19	Sex Offender Registration and Notification, N.M. STAT. ANN. §§ 29-11A-1 to -10; The Children's Code, N.M. STAT. ANN. §32A-2-3	Sex Offender Registration, N.Y. CORRECT. LAW §§ 168 - 168-w

	NORTH CAROLINA	NORTH DAKOTA	OHIO	OKLAHOMA	OREGON
Are juveniles required to register	Yes	Yes	Yes	Yes	Yes
Who is required to register and what is the extent of the court's discretion over a juvenile's registration requirements	Juveniles adjudicated for certain offenses must register	Juveniles adjudicated for certain offenses must register. The court has discretion to waive registration in some cases [See Summary]	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles adjudicated or convicted of a felony must register. Court has discretion to defer juvenile adjudications requiring registration
Is there a non-public registry	Yes. Juveniles are not disclosed on public registry [See Summary]	No	No	Yes [See Summary]	Yes [See Summary]
Minimum age that a juvenile can be required to register	Must have been at least 11 at the time of the offense	None	Must have been at least 14 at the time of the offense	Must have been at least 14 at the time of the offense	None
Minimum age for public registry	11	None	14	14	None
Registerable Offenses	Only certain offenses [See Summary]	Only certain offenses [See Summary]	Same as for adults [See Summary]	Same as for adults [See Summary]	Same as for adults [See Summary]
Length of Registration	Duty to register terminates on juvenile's 18th birthday or when the juvenile court's jurisdiction ends, whichever comes first	15 years for low risk offenders; 25 years of moderate risk offenders; Lifetime for high risk offenders	Differs from adults [See Summary]	Duty to register ends at 21 years of age or upon release from the custody of the Office of Juvenile Affairs	Low class felonies - 10 years Lifetime registration for all other felonies
Frequency of Registration	Semi-annually	Every 180 days for 10 and 25 year registrants. Every 90 days for lifetime registrants	Tier 1 - Annually Tier 2 - Semi-annually Tier 3 - Every 90 days	Annually	Annually Sexually violent predators register every 90 days
Community Notifications	None apply to juveniles adjudicated delinquent	Law enforcement has discretion to release information about individuals	Public Website	Court has discretion [See Summary]	Notification is required only on those persons deemed predatory by the Oregon State Police
Additional restrictions that apply to registrants	Same as for adults [See Summary]	Same as for adults [See Summary]	Same as for adults [See Summary]	Juveniles adjudicated delinquent have certain restrictions [See Summary]	Same as for adults [See Summary]
Registration requirements for an incoming juvenile	A juvenile who is required to register in another jurisdiction, must register in North Carolina. Must register within 3 days	A juvenile who is required to register in another jurisdiction, must register in North Dakota. Must register within 3 days	A juvenile who is required to register in another jurisdiction, must register in Ohio. Must register within 3 days	A juvenile who is required to register in another jurisdiction, must register in Oklahoma	Oregon makes its own determination and does not honor laws of original state of jurisdiction
Requirements for a juvenile sex offender moving	Must notify law enforcement 3 days prior to establishing new residence	Must notify 10 days prior to establishing new residence and register within 3 days at new location	Must give at least 20 days notice prior to a change of address	Must notify within 3 days of moving	Must notify within 10 days of changing address
Can juveniles petition	No. Duty to register automatically terminates at age 18 or when juvenile court's jurisdiction ends, whichever comes first	Yes [See Summary]	Yes. Some juveniles can petition to be reclassified [See Summary]	No. Juveniles are automatically taken off of the registry at age 21	Yes. Juveniles adjudicated delinquent can petition 2-5 years after juvenile court's jurisdiction ends [See Summary]
Registration requirements for temporary residence, traveling, or visiting	Must register within 3 days if residing or lodging in North Carolina for more than 15 days	Must register if staying in North Dakota for more than 30 days in a calendar year or at a location for longer than 10 consecutive days. Must register within 3 days	Must register with the Sheriff within 3 days of arrival if staying for 3 or more consecutive days or 14 days total in a calendar year	N/A	Must obtain travel permit depending on length of stay [See Summary]
Source	Sex Offender and Public Protection Registration Programs, N.C. GEN. STAT. §§ 14-208.5 to -208.45; "Registration of certain delinquent juveniles," N.C. GEN. STAT. § 7B-2509; NC CRIMINAL LAW & PROCEDURE, Art. 27A, "Sex Offender and Public Protection Registration Programs"	"Offenders against children and sexual offenders," N.D. CENT. CODE, 12.1-32-15; North Dakota Sex Offender Website, http://www.sexoffender.nd.gov/FAQ/ faq.shtml	Sex Offender Registration and Notification, OHIO REV.CODE ANN. §§ 2950.01 - 99; Juvenile Sex Offender Registration and Notification, OHIO REV. CODE ANN. §§ 2152.82 - 99; Children subject to sex offender registration and notification law, OHIO REV. CODE ANN. § 2152.191	Oklahoma Juvenile Sex Offender Registration Act, OKLA. STAT. tit. 10, §§ 7308-1.1 to -1.13; Sex Offenders Registration Act, OKLA. STAT. tit. 57, §§ 581 - 590.1; Zone of safety--Schools, child care facilities, playgrounds and parks--Restrictions on convicted sex offenders, OKLA. STAT. tit. 21, § 1125	Predatory Sex Offender Notice Procedure; Sex Offender Registration, OR. REV. STAT. §§ 181.585 - 606; Relief from Sex Offender Reporting Requirement, OR. REV. STAT. §§ 181.820 to 833; Oregon State Police policies; Oregon Administrative Rules, "Oregon Youth Authority," http://arcweb.sos.state.or.us/rules/OARS_400/OAR_416/416_115.html

PENNSYLVANIA	RHODE ISLAND	SOUTH CAROLINA	SOUTH DAKOTA	TENNESSEE	TEXAS
No, only juveniles convicted in adult court	Yes	Yes	Yes	No, only juveniles convicted in adult court	Yes
Juveniles adjudicated delinquent are not required to register	Juveniles convicted as adults must register and adjudicated juveniles may be required to register. Court has discretion [See Summary]	Juveniles adjudicated delinquent for certain offenses must register	Juveniles adjudicated delinquent or juveniles convicted as adults must register. Court has discretion [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent or juveniles convicted as adults must register. Court has discretion [See Summary]
No	No. However, juveniles are not disclosed on public registry	No. However, certain juveniles are not disclosed on the public website [See Summary]	No	No	No, but certain juveniles adjudicated delinquent are not disclosed to the public
None	None	None	Must have been at least 14 at the time of the offense	None	None
None	None [See Summary]	None	14	None	None
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Only certain offenses [See Summary]	Juveniles adjudicated delinquent only for certain offenses [See Summary]	Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent only for certain offenses [See Summary]
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Lifetime Registration	Tier 1 - 10 years Tier 2 - 25 years Tier 3 - Lifetime Registration	Juveniles adjudicated delinquent are not required to register	10 years or upon completion of disposition, whichever date is later [See Summary]
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Semi-annually Sexually violent predators register every 90 days	Semi-annually	Juveniles adjudicated delinquent are not required to register	Annually
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Law enforcement has discretion to release information about juveniles	Public Website	Juveniles adjudicated delinquent are not required to register	Public Website
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Adjudicated juveniles have restrictions [See Summary]	Residency restrictions do not apply to juveniles adjudicated delinquent who were under 18 years of age at the time of the offense	Juveniles adjudicated delinquent are not required to register	N/A
A juvenile who is required to register in another jurisdiction, must register in Pennsylvania. Must register within 48 hours	A juvenile who is required to register in another jurisdiction, must register in Rhode Island	A juvenile who is required to register in another jurisdiction, must register in South Carolina. Must register within 10 days	A juvenile who is required to register in another jurisdiction, must register in South Dakota. Must register within 3 days after entering South Dakota	Juveniles adjudicated delinquent in another jurisdiction do not have a duty to register for an out-of-state offense	A juvenile who is required to register in another jurisdiction, must register in Texas. However, out of state adjudications may petition to be exempted from the registry
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	Must provide written notice within 10 days of the change of address to a new state to the county sheriff with whom the person last registered	Must notify law enforcement within 5 days of moving	Juveniles adjudicated delinquent are not required to register	Must notify department no later than 7 days prior to moving
Juveniles adjudicated delinquent are not required to register	Juveniles adjudicated delinquent are not required to register	No	Yes [See Summary]	Juveniles adjudicated delinquent are not required to register	Yes [See Summary]
N/A	Juveniles adjudicated delinquent are not required to register	Must register if staying in the state for a total of 30 days in one year	Must register within 3 business days of coming into any county to temporarily domicile, attend school, attend postsecondary education classes, or work	Must register if staying for a period of 14 or more consecutive or nonconsecutive days in any month	Must register if spending more than 48 consecutive hours in Texas
Registration of Sexual Offenders, 42 Pa. Cons. Stat. §§ 9791 through 9799.9; The Juvenile Act, 42 Pa. Cons. Stat. § 6307 - 6375	Sexual Offender Registration and Community Notification Act, R.I. Gen. Laws §§ 11-37.1-1 to -20	Sex Offender Registry, S.C. Code Ann. §§ 23-3-400 to -550 Placement of minor sex offenders, S.C. Code Ann. § 63-7-2360	Sex Offender Registry, S.D. Codified Laws §§ 22-24B-1 to -32	Tennessee Internet Criminal Information Center, Tenn. Code Ann. § 38-6-116 Sexual Offender Registration and Monitoring, Tenn. Code Ann. §§ 40-39-201 to -306	Sex Offender Registration Program, Tex. Code Crim. Proc. art. 62.001 - 408 Texas Youth Commission-37 Tex. Code Ann. § 87.85

	UTAH	VERMONT	VIRGINIA	WASHINGTON	WEST VIRGINIA
Are juveniles required to register	Yes	No, only juveniles convicted in adult court	Yes	Yes	No, only juveniles convicted in adult court
Who is required to register and what is the extent of the court's discretion over a juvenile's registration requirements	Juveniles adjudicated delinquent may have to register if certain conditions apply [See Summary]	Juveniles adjudicated delinquent are not required to register. However, some juveniles, upon reaching their 18th birthday, will be listed on a public registry if they meet certain conditions [See Summary]	Juveniles adjudicated delinquent over the age of 13 are required to register. Court has discretion	Juveniles adjudicated delinquent or juveniles convicted as adults must register	Juveniles adjudicated delinquent are not required to register
Is there a non-public registry	Juveniles adjudicated delinquent who are not required to register are placed on a separate database for up to 10 years	No	No	Yes. All level one offenders are placed on a separate database	No
Minimum age that a juvenile can be required to register	None	None	Must have been at least 13 at the time of the offense	None	None
Minimum age for public registry	None	18	13	None	None
Registerable Offenses	Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register	Same as for adults [See Summary]	Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register
Length of Registration	10 years Lifetime registration for repeat offenders	Juveniles adjudicated delinquent are not required to register	Lifetime registration	Class A - Duration is indefinite Class B - 15 years Class C - 10 years	Juveniles adjudicated delinquent are not required to register
Frequency of Registration	Semi-annually	Juveniles adjudicated delinquent are not required to register	Annually; Sexually Violent offenders register every 90 days	Level 1- Annually Level 2 and 3 - Every 90 days	Juveniles adjudicated delinquent are not required to register
Community Notifications	Public Website	Juveniles adjudicated delinquent are not required to register	Public Website	Public Website	Juveniles adjudicated delinquent are not required to register
Additional restrictions that apply to registrants	Same as for adults [See Summary]	Vermont sex offender registry law does not place any restrictions on housing or employment for registrants	N/A	None	Juveniles adjudicated delinquent are not required to register
Registration requirements for an incoming juvenile	A juvenile who is required to register in another jurisdiction, must register in Utah. Must register within 10 days of entering Utah	A juvenile who is required to register in another jurisdiction, must register in Vermont. Must register within 10 days after establishing residence in Vermont [See Summary]	A juvenile who is required to register in another jurisdiction, must register in Virginia. Must register within 3 days of establishing residence in Virginia	A juvenile who is required to register in another jurisdiction, must register in Washington. Must register within 3 days of establishing residence in Washington	A juvenile who is required to register in another jurisdiction, must register in West Virginia
Requirements for a juvenile sex offender moving	Must notify law enforcement of new residence	Juveniles adjudicated delinquent are not required to register	Must notify law enforcement 10 days prior to moving and must register with law enforcement within 3 days of establishing new residence	Must notify law enforcement within 3 days of establishing new residence	Juveniles adjudicated delinquent are not required to register
Can juveniles petition	No	Juveniles adjudicated delinquent are not required to register	Yes [See Summary]	Yes [See Summary]	Juveniles adjudicated delinquent are not required to register
Registration requirements for temporary residence, traveling, or visiting	Must register if present for a total of 10 or more days in any 12 month period	Must register if staying for more than 10 consecutive days or 30 days during any calendar year	Must register in Virginia if staying for 30 days or more	N/A	Must register if staying for 15 continuous days in West Virginia
Source	Sex offender registration – Information system – Law enforcement and courts to report – Registration – Penalty – Effect of expungement, UTAH CODE ANN. § 77-27-21.5; Sex offender restrictions, UTAH CODE ANN. § 77-27-21.7	Sex Offender Registration Program; Law Enforcement Notification, VT. STAT. ANN. tit. 13 §§ 5401 - 5414 Sex Offender Registry, VT. CODE R. § 28-050-002	Sex Offender and Crimes Against Minors Registry, VA. CODE ANN. §§ 9.1-900 to -922 Providing false information or failing to provide registration information; penalty; prima facie evidence, VA. CODE ANN. § 18.2-472	WASH. REV. CODE § 4.24.550; Registration of sex offenders and kidnapping offenders, WASH. REV. CODE § 9A.44.130 - 904; Wash. Rev. Code § 13.40.217; Notification to Teachers and Security Personnel-Rules, WASH. REV. CODE § 28A.225.330; WASH. REV. CODE § 72.09.345; Juvenile Justice Act of 1977, Rev. Code Wash. (ARCW) §13.40.010 - 900	Sex Offender Registration, W. VA. CODE §§ 15-12-1 to -10 Rules and Regulations Pertaining to Sex Offender Registration, W. VA. CODE R. §§ 81-14-1 to -20

WISCONSIN	WYOMING
Yes	No, only juveniles convicted in adult court
Juveniles adjudicated delinquent or juveniles convicted as adults may be required to register. Court has discretion [See Summary]	Juveniles adjudicated delinquent are not required to register
No, but information pertaining to juveniles adjudicated delinquent are confidential to victims and law enforcement	No
None	None
Juveniles adjudicated delinquent are not disclosed on public registry	None
Same as for adults with exception of Romeo and Juliet Statute [See Summary]	Juveniles adjudicated delinquent are not required to register
15 years Lifetime for Sexually Violent Predators	Juveniles adjudicated delinquent are not required to register
Annually Sexually Violent offenders-every 90 days	Juveniles adjudicated delinquent are not required to register
Juveniles adjudicated delinquent are not disclosed on public registry	Juveniles adjudicated delinquent are not required to register
Same as for adults [See Summary]	Juveniles adjudicated delinquent are not required to register
A juvenile who is required to register in another jurisdiction, must register in Wisconsin. Must register 10 days after entering state	A juvenile who is required to register in another jurisdiction, must register in Wyoming. Must register within 3 days of entering state
Must notify department 10 days prior to moving out of state	Juveniles adjudicated delinquent are not required to register
No	Juveniles adjudicated delinquent are not required to register
N/A	N/A
Sex offender registration; Access to information concerning sex offenders; Sex offender name changes prohibited; Global positioning system tracking and residency requirement for certain sex offenders, WIS. STAT. §§ 301.45 to 48	Sex Offender Registration, WYO. STAT. ANN. §§ 7-19-301 through 7-19-308; Juvenile Justice Act, WYO. STAT. ANN. § 14-6-239 - 252; Juvenile Justice Information System, WYO. STAT. ANN. § 7-19-501 - 505

INDIVIDUAL FACT SHEETS ON SEX OFFENDER REGISTRATION AND NOTIFICATION LAWS APPLIED TO CHILDREN IN THE STATES

This section provides one page summaries of the registration requirements for children adjudicated delinquent of sex offenses for each of the fifty states. The fact sheets attempt to answer frequently asked questions about juvenile registration laws.

DUTY TO REGISTER

Juveniles adjudicated delinquent may be ordered by a court to register for certain offenses. Every child adjudicated delinquent of a sex offense is required to complete treatment in a licensed sex offender treatment program. Once the juvenile has completed treatment, the treatment provider files a risk assessment with the court, and the state is provided the opportunity to file a petition to apply public notification. The sentencing court may deny the petition or grant the petition based upon, but not limited to, factors relevant to the risk of re-offense.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes. Adjudicated juveniles are placed on a non-public registry unless the state petitions the court to apply public notification.[2]

REGISTERABLE OFFENSES

Offenses That Apply to Juveniles: [3]

- Rape 1st
- Rape 2nd
- Sodomy 1st
- Sodomy 2nd
- Sexual Torture
- Sexual Abuse 1st
- Sexual Abuse 2nd
- Enticing a Child to Enter Vehicle, Etc. for Immoral Purposes
- Promoting Prostitution 1st
- Promoting Prostitution 2nd
- Child Pornography Act
- Kidnapping 1st
- Kidnapping 2nd
- Traveling to Meet a Child for an Unlawful Sex Act - Class A Felony
- Soliciting, Attempting, or Conspiring to do any of the above
- Any crime in any other state, federal, military, Indian, or foreign country jurisdiction similar to elements of Alabama's crime above
- Any crime (despite the specific description or elements) known as rape, sodomy, sexual assault, sexual battery, sexual abuse, sexual torture, solicitation of a child, enticing or luring a child, child pornography, lewd and lascivious conduct, taking indecent liberties with a child, or molestation of a child

A sentencing court may exempt a juvenile or youthful offender for a criminal sex offense as defined in ALA.CODE. § 13 A-6-62(a) (1).[4]

DURATION AND FREQUENCY OF REGISTRATION

Juvenile criminal sex offenders are required to register annually for (10) years.[5] In addition, subsequent notification requirements apply to juvenile sex offenders. See Statute.[6]

COMMUNITY NOTIFICATIONS

Certain juvenile offenders are subject to the Community Notification Act, if identified as serious threats to the public. Risk assessment is conducted upon release to determine level of community notification. See Statute.[7]

RESTRICTIONS

No restrictions are expressly provided in the statute for juvenile criminal sex offenders.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Alabama. The parent, guardian, or custodian of the juvenile criminal sex offender must notify the Department of Public Safety within (5) business days of establishing residence in Alabama.[8]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Juveniles must register with the sheriff at least (14) days prior to the move.[9]

CAN JUVENILES PETITION?

No. However, the duty to register automatically terminates after (10) years.[10]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Juveniles present in Alabama more than (3) days consecutively or (10) days aggregate in a month are required to register.[11]

Source

Registration of Sex Offenders, ALA. CODE §§ 13A-11-200 to -204.

Sex Offenders, ALA. CODE §§ 15-20-1 to -38.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Alaska.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Registration of Sex Offenders, ALASKA STAT. §§ 12.63.010 to 100.

Central Registry of Sex Offenders, ALASKA STAT. § 18.65.087.

Sex Offender Registration, ALASKA STAT. § 28.05.048.

DUTY TO REGISTER

Juveniles adjudicated delinquent of certain offenses are required to register.[1] The court may order the termination of any duty to register upon successful completion of probation if the person was under (18) years of age when the offense for which the person was convicted was committed.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes, all Level One Offenders are placed on this registry.[3]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[4]

DURATION AND FREQUENCY OF REGISTRATION

Must register annually.[5] The duty to register terminates when the juvenile adjudicated delinquent turns (25).[6]

COMMUNITY NOTIFICATIONS

Community notification does not apply to juveniles adjudicated delinquent.[7]

RESTRICTIONS

No restrictions are expressly provided for offenders in the statute. However, if an offender is on probation/parole, the respective probation department may impose restrictions on living arrangements.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Arizona.[9] Must register within (10) days of establishing residence.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Offender must notify a sheriff in person and in writing within (72) hours of changing residence.[11]

CAN JUVENILES PETITION?

No. However, duty to register for adjudicated juveniles automatically terminates at age (25).[12]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying in Arizona for more than (10) days.[13]

Source

Registration of Sex Offenders, ARIZ. REV. STAT. ANN. §§ 13-3821 to -3829.

DUTY TO REGISTER

Juveniles adjudicated delinquent on or after August 1, 1997[1] or juveniles convicted as adults are required to register for certain offenses. The court may order a sex offender screening and risk assessment if a juvenile is adjudicated delinquent for any offense with an underlying sexually motivated component upon recommendation of the Sex Offender Assessment Committee and following a hearing. The court may order reassessment of the sex offender screening and risk assessment by the committee at any time while the juvenile court has jurisdiction over the juvenile. Following a sex offender screening and risk assessment, the prosecutor may file a motion to request that a juvenile register as a sex offender at any time while the court has jurisdiction.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Offenses That Apply to Juveniles:[3]

(a) If a juvenile is adjudicated delinquent for any of the following offenses, the court will order a sex offender screening and risk assessment:

(1) Rape, § 5-14-103;

(2) Sexual assault in the first degree, § 5-14-124;

(3) Sexual assault in the second degree, § 5-14-125;

(4) Incest, § 5-26-202; or

(5) Engaging children in sexually explicit conduct for use in visual or print medium, § 5-27-303.

(b)(1) The court may order a sex offender screening and risk assessment if a juvenile is adjudicated delinquent for any offense with an underlying sexually motivated component.

DURATION AND FREQUENCY OF REGISTRATION

Duty to register automatically terminates at age (21) or after (10) years, whichever is longer.[4] Level I, II, or III Offenders must register semi-annually. Level IV offenders must register quarterly.

COMMUNITY NOTIFICATIONS

Notification is not required if the offense was committed prior to August 1, 1997.[5] Law enforcement retains the discretion to determine who in the community will be notified, after considering risk level of the offender.[6]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

An opinion released by the Office of the Governor of Arkansas in October 2010 has eliminated the registration requirement for incoming juvenile sex offenders.[7]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

An offender changing residency within the state must give the new address and place of employment/education to the Arkansas Crime Information Center in writing (10) days prior to moving. An offender must also register if changing residency to another state in that state regardless of permanent registry.[8]

CAN JUVENILES PETITION?

The juvenile may petition the court to have his or her name removed from the sex offender register at any time while the court has jurisdiction over the juvenile or when the juvenile turns twenty-one (21) years of age, whichever is later.[9] If the court does not order the juvenile's name removed, it is automatically removed when they turn (21) or after (10) years, whichever is longer.[10]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

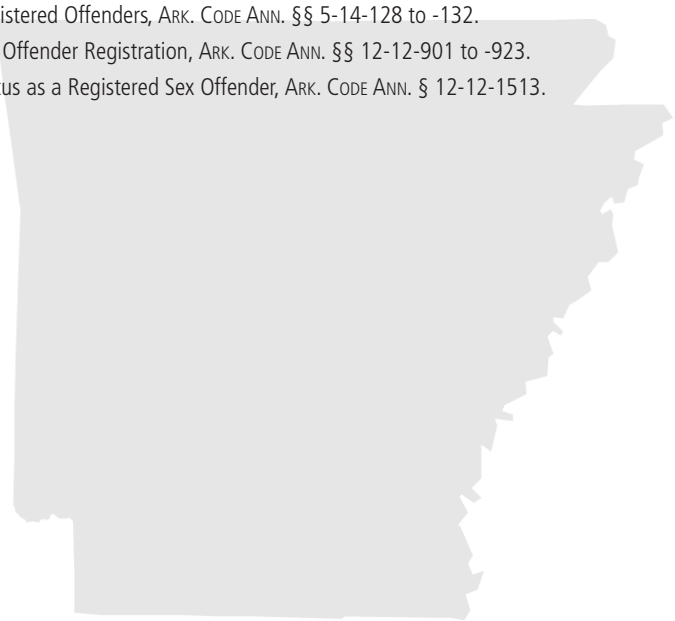
Source

Juvenile Sex Offender Assessment and Registration, ARK. CODE ANN. § 9-27-356.

Registered Offenders, ARK. CODE ANN. §§ 5-14-128 to -132.

Sex Offender Registration, ARK. CODE ANN. §§ 12-12-901 to -923.

Status as a Registered Sex Offender, ARK. CODE ANN. § 12-12-1513.



DUTY TO REGISTER

Juveniles convicted as adults and juveniles adjudicated delinquent for sex offenses and held as wards of the court for offenses under CAL. PENAL CODE § 290.008 are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes. Only those juveniles adjudicated delinquent of an offense listed under CAL. PENAL CODE § 290.008 are disclosed on the public web site.[2]

REGISTERABLE OFFENSES

Only juveniles adjudicated delinquent or convicted of certain offenses are required to register.[3]

See 'Registerable Juvenile Offenses'.[4]

DURATION AND FREQUENCY OF REGISTRATION

Lifetime registration.[5] Must register annually; sexually violent predators must register every (90) days.[6]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[7]

RESTRICTIONS

Same as for adults. See Statute.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in California.[9] *See In re Crocket,* 159 Cal. App. 751, 71 Cal. Rptr. 3d 632 (Cal. App. 1 Dist. 2008).[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify the local law enforcement unit where the registrant will reside or habitually live within (5) working days of any change in residence.[11]

CAN JUVENILES PETITION?

Yes. Juveniles whose registerable sex offenses are not disclosed to the public may obtain relief from the duty to register upon obtaining a certificate of rehabilitation.[12] A person is eligible to apply for a certificate of rehabilitation (7) to (10) years (depending on the registerable sex offense) after release from custody or on parole or probation, whichever is sooner.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying for more than (14) days, or for an aggregate period exceeding (30) days in a calendar year.[13]

Source

Sex Offender Registration, Notice of Arrest for Sex Offense, CAL. PENAL CODE §§ 290 to 294.

CA Megan's Law - CA Dept. of Justice - Office of the Attorney General website.

SPECIAL CIRCUMSTANCES

Registrants whose only registerable sex offenses are for the following offenses may apply for exclusion from internet:

(1) sexual battery by restraint (Penal Code § 243.4, subd. (a));

(2) misdemeanor child molestation (Penal Code § 647.6, or former section 647a); or

(3) any offense which did not involve penetration or oral copulation, the victim of which was a child, stepchild, grandchild, or sibling of the offender, and for which the offender successfully completed or is successfully completing probation.

REGISTERABLE JUVENILE OFFENSES[14]

207 Kidnapping committed with intent to violate sections 261, 286, 288, 288a, or 289.
207(b) Kidnapping, victim under 14 with the intent to violate any 288 sections.
208(d) (Prior Code): Kidnapping victim under 14 with the intent to violate sections 261, 286, 288, 288a, or 289.
209 Kidnapping for ransom committed with intent to violate sections 261, 286, 288, 288a, or 289.
209(b)(1) Kidnapping for ransom committed with intent to violate sections 261, 286, 288, 288a, or 289.
220 Assault to commit rape, sodomy, or oral copulation or to violate sections 264.1, 288 or 289.
220/261 Assault to commit rape.
220/261(2) Assault to commit rape by force or fear.
220/664.1 Assault to rape in concert with force/violence.
261 Rape: Not specified
261.1 (Prior Code) Rape: Victim incapable of giving consent
261(a)(1) Rape: Victim incapable of giving consent.
261(a)(2) Rape by force/fear/etc.
261(a)(3) Rape of drugged victim.
261(a)(4) (Prior Code) Rape: Victim unconscious of the nature of the act.
261(a)(4)(A) Rape: Victim was unconscious or asleep.
261(a)(4)(B) Rape: Victim was unconscious and not aware of the act.
261(a)(4)(C) Rape: Victim not aware due to perpetrators fraud.
261(a)(4)(D) Rape: Victim not aware - fraudulent misrepresentation.
261(a)(6) Rape by threat of retaliation.
261(a)(6) Rape by threat of retaliation.
261.2 (Prior Code) Rape by force or fear.
261.2/261.3 (Prior Code) Rape by force or threat.
261.3 (Prior Code) Rape by force or victim intoxication.
261.4 (Prior Code) Rape by threat or rape of drugged victim.
264.1 Rape/etc. in concert with force/violence.
266c Induce intercourse/sex acts by false representation with intent to create fear.
267 Abduct minor for prostitution.
286(b)(1) Sodomy with person under 18 years.
286(c) (Prior Code) Sodomy with person under 14 years or with force.
286(c)(1) Sodomy with person under 14 years.
286(c)(2) Sodomy with force or violence.
286(c)(3) Sodomy with threat of retaliation.
286(d) Sodomy in concert with force.
288 Crimes against children; lewd or lascivious.
288(a) Lewd or lascivious acts with child under 14 years.
288(b) (Prior Code) Lewd or lascivious acts with a child under 14 years with force.
288(b)(1) Lewd or lascivious acts with a child under 14 years with force.
288(b)(2) Caretaker commits sexual act on dependant adult with force.
288(c) (Prior Code) Lewd or lascivious acts with child 14 or 15 years old.
288(c)(1) Lewd or lascivious acts with child 14 or 15 years old.
288(c)(2) Caretaker commits lewd or lascivious acts on dependent adult.
288a(b)(1) Oral copulation with person under 18 years.
288a(c) (Prior Code) Oral copulation with person under 14 or by force.
288a(c)(1) Oral copulation with person under 14.
288a(c)(2) Oral copulation with force or violence.
288a(c)(3) Oral copulation in concern with force/etc.
288a(d) Oral copulation in concert with force or fear.
288a(d)(1) (Prior Code) Oral copulation in concert with force or fear.
288a(d)(2) (Prior Code) Oral copulation in concert by threat of retaliation.
288a(d)(3) (Prior Code) Oral copulation in concert: victim incapable of consent.
288.5 (Prior Code) Continuous sexual abuse of a child.
288.5(a) Continuous sexual abuse of child.
289(a) (Prior Code) Sexual penetration by foreign object.
289(a)(1) Sexual penetration by foreign object with force.
289(a)(2) Sexual penetration by foreign object with threat of retaliation.
647a (Prior Code) Annoy or molest children.
647.6 Annoy or molest children under 18.
647.6(a) Annoy or molest children under 18.
647.6(e)(1) Annoy or molest children under 18.
647.6(c)(2) Annoy or molest children under 18.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as a sex offender.[1] However, the court has discretion to exempt a juvenile from registration if:

- He or she was under (18) years of age at time of offense;
- He or she has not been previously charged with unlawful sexual behavior; or,
- The offense, as charged in the first petition filed with the court, is a first offense of misdemeanor unlawful sexual contact.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

However, the Colorado Bureau of Investigation does not post information concerning (1) sex offenders only convicted of misdemeanor sex offenses, or (2) juveniles adjudicated for sex crimes.[3]

IS THERE A NON-PUBLIC REGISTRY?

No. Local law enforcement may require registration by juveniles with a second adjudication involving unlawful sexual behavior[4] and juveniles whose offense would have been a felony if convicted as an adult and who have failed to register.[5]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[6]

DURATION AND FREQUENCY OF REGISTRATION

Must register annually.[7] Sexually violent predators and juveniles convicted as adults must register every (90) days for life.[8]

- Offenders convicted of Class 1, 2, or 3 felonies may be removed after (20) years following discharge of sentence;
- Offenders found guilty of unlawful sexual contact, Class 1 misdemeanors or any Class 4, 5 or 6 felony may be removed after (10) years; and,
- Offenders found guilty of misdemeanor offenses other than Class 1 (including indecent exposure) may be removed after (5) years.[9]

COMMUNITY NOTIFICATIONS

Juvenile offenders are subject to public disclosure only if they have had a second or subsequent adjudication for unlawful sexual behavior or a crime of violence, or if the juvenile was adjudicated for an offense that would have been a felony if committed by an adult and have since failed to register at some point.[10]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Colorado.[11] Must register within (5) business days of becoming a temporary or permanent resident of Colorado.[12]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Whenever a sex offender changes his/her address, he or she must cancel registration at the law enforcement agency where he or she is currently registered within (5) days after ceasing to reside at their former address[13] and must re-register within (5) business days with the law enforcement agency where he or she moves.[14]

CAN JUVENILES PETITION?

Yes. If the person was younger than (18) years of age at the time of disposition or adjudication, and has not been subsequently convicted of unlawful sexual behavior or of any other offense, the offender may petition to be removed from registration after successful completion of and discharge from the sentence. The offender may also petition for an order removing his or her name from the sex offender registry. The court will make a determination based on recommendations that the juvenile will not re-offend.[15] Juveniles convicted as adults for certain offenses are not eligible for relief.[16]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register within (5) business days of becoming a temporary or permanent resident of Colorado.[17] Colorado defines temporary residence as residing or lodging for more than (14) business days.[18]

Source

Community Notification Concerning Sexually Violent Predators, COLO. REV. STAT. §§ 16-13-903 to -906.

Colorado Sex Offender Registration, COLO. REV. STAT. §§ 16-22-101 to -115.

Failure to Register as a Sex Offender, COLO. REV. STAT. § 18-3-412.5.

See also Colorado Sex Offender Site, http://sor.state.co.us/?SOR=home.sorreg.

Telephone interview with Colorado Bureau of Investigation Supervisor (August 5,2010).

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

Juveniles convicted as adults of sexual intercourse with a victim aged (13-15) and was under the age of (19) at time of offense may be exempt from the requirement to register.[2]

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Connecticut does not honor laws of original state of jurisdiction. Juveniles adjudicated in another state do not have to register.[3]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Registration of Sexual Offenders, CONN. GEN. STAT. §§ 54-250 to -261.

Telephone interview with Connecticut SOR office (September 16, 2010).

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders. The sentencing court will assign the juvenile adjudicated delinquent to a Risk Assessment Tier based on the originally charged offense.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes, all Tier 1 Offenders are placed on this registry.[2]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Tier 1 Offenders must register annually for (15) years, Tier 2 Offenders must register semi-annually for (25) years, and Tier 3 Offender must verify quarterly for life.[4]

COMMUNITY NOTIFICATIONS

Tier 1 Offenders are not subject to public registry; Tier 2 and Tier 3 Offender are subject to notification for schools and daycare centers.[5]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Delaware.[6]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must advise the Delaware registry within (3) days of moving.[7]

CAN JUVENILES PETITION?

Tier 1 and Tier 2 Offenders may petition the Superior Court to be removed from the registry after (10) years if they have not been convicted of any later crime, other than a motor vehicle offense.[8] A Tier 3 Offender may petition for re-designation as a Tier II Offender after (25) years, if the offender has completed a state-certified sex offender treatment program.[9]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Visiting juveniles are required to register if present for more than (7) days consecutively or (30) days aggregate in a calendar year.[10]

Source

Registration of Sexual Offenders, DEL. CODE ANN. tit. 11 §§ 4120 to 4122.

Community notice of offenders on probation, parole, conditional release, or release from confinement, DEL. CODE ANN. tit. 11 § 4336.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

District of Columbia does not honor laws of original state of jurisdiction. Juveniles adjudicated in another state do not have to register.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Sex Offender Registration, D.C. CODE §§ 22-4001 to -4017.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Qualifying Offenses for Adjudications of Delinquency–Commission of; or Attempt, Solicit, or Conspire to Commit:[2]

Sexual Battery § 794.011 - no qualifications

Lewd Battery § 800.04(4)(b) - victim under twelve OR sexual activity by the use of force/coercion

Lewd Molestation § 800.04(5)(c) - victim under twelve AND molestation involved unclothed genitals/genital area

Lewd Molestation § 800.04(5)(d) - victim between twelve and sixteen, force/coercion used, AND unclothed genitals/genital area

DURATION AND FREQUENCY OF REGISTRATION

Lifetime registration.[3] Must register quarterly or semi-annually, depending on the offense.[4]

COMMUNITY NOTIFICATIONS

Law enforcement will provide information to individuals that make requests. Otherwise, release of information to notify the community about Sexual Offenders is discretionary.[5] Notice is mandatory for Sexual Predators.[6]

RESTRICTIONS

Cannot live within 1,000 feet of school, daycare center, park, or playground if victim was under (16) years of age.[7] However, certain Florida municipalities have created exceptions in ordinances for juvenile offenders.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Florida.[9] Incoming juvenile offenders must register within (48) hours after establishing permanent, temporary, or transient residence in Florida.[10] However, incoming juvenile sex offenders are not disclosed to the public.

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Juvenile sex offenders must report to the sheriff of the county of residence (48) hours prior to leaving state.[11]

CAN JUVENILES PETITION?

A juvenile may petition the court after (25) years.[12]

If the adjudicated juvenile was not more than 4 years older than the victim, who was 14 – 17 years of age at the time of the violation, and is required to register solely on the basis of this violation, the juvenile can petition for removal of the requirement to register.[13]

Otherwise, a person will be considered for removal of the requirement to register as a sexual offender or sexual predator only if the person is required to register as a sexual offender or sexual predator solely on the basis of the violations listed below:

§ 794.011 (sexual battery); § 800.04 (Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age); § 827.071 (Sexual performance by a child): or § 847.0135(5) (Computer pornography; traveling to meet minor); or the person committed a violation of any of those offenses for which adjudication of guilt was or will be withheld, and the person does not have any other conviction, adjudication of delinquency, or withhold of adjudication of guilt for a violation of said offenses.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if spending (5) or more days during a calendar year in Florida.[14]

Source

Sexual offenders required to register with the department; penalty, FLA. STAT. § 943.0435.

Notification to Department of Law Enforcement of information on sexual offenders, FLA. STAT. § 944.607.

GEORGIA

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Georgia. Must register within (72) hours.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if in Georgia for a period exceeding (14) consecutive days, or exceeding an aggregate of (30) days in a calendar year.[3]

Source

Sexual Offender Registration Review Board, GA. CODE ANN. §§ 42-1-12 to -15.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Juveniles adjudicated delinquent are not required to register in Hawaii.

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Registration of Sex Offenders and Other Covered Offenders and Public Access To Registration Information; HAW. REV. STAT. §§ 846E-1 to -13

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.[2]

IS THERE A NON-PUBLIC REGISTRY?

No; however, juvenile sex offenders are placed on a separate database accessible only by law enforcement.[3]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[4]

Court may order exemption from registration requirement if at the time of offense, the offender was (19) or (20) years of age and not more than (3) years older than the victim.[5]

DURATION AND FREQUENCY OF REGISTRATION

Offenders must register annually.[6] Duty to register terminates at age (21), at which time the Prosecutor may seek transfer to adult registry. If there is no petition by the Prosecutor, the juvenile is removed from the registry.[7]

COMMUNITY NOTIFICATIONS

Community notification is not a requirement of registration in Idaho.[8]

RESTRICTIONS

Adjudicated juveniles who are required to register may not accept employment at a day care center, group day care facility or family day care home; and may not be at or on the premises of such facilities while children are present, other than to drop off or pick up his or her child(ren).[9] Juveniles can petition to be relieved of this restriction after (10) years.[10]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Idaho. Must register within (10) days.[11]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must provide written notice of the new address within (5) working days after moving from Idaho, and he or she must register in the other state within (10) days of moving out of Idaho.[12]

CAN JUVENILES PETITION?

No, adjudicated juveniles cannot petition for removal. However, the duty to register automatically terminates at age (21) provided there has been no petition for them to be transferred to adult registry.[13]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register within (2) days of entering Idaho either for permanent or temporary residence.[14]

Source

Juvenile Sex Offender Registration Notification and Community Right-To-Know-Act, Idaho Code Ann. §§ 18-8301 to -8331.

Telephone interview with Idaho SOR office (September 24, 2010).

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Same as for adults; See Statute.[2]

DURATION AND FREQUENCY OF REGISTRATION

Juveniles adjudicated delinquent are required to register annually for (10) years from the date of adjudication if sentenced to probation or (10) years from parole, discharge, or release if confined. Those deemed to meet the criteria of a sexual predator must register for life.[3] Upon completion of an offender's (10) year registration period, their information will no longer appear on the web site.[4]

COMMUNITY NOTIFICATIONS

Law enforcement has discretion. If juvenile adjudicated delinquent is enrolled in school, the registration form will be kept separately from any and all school records maintained on behalf of the juvenile sex offender.[5]

RESTRICTIONS

Under the law, the juvenile adjudicated delinquent of a sex offense is not defined as a child sex offender. School and park legislation restrictions for child sex offenders do not apply to the juvenile adjudicated delinquent of a sex offense. The residency and loitering restrictions do not apply to juvenile delinquent sex offenders.[6]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Illinois. Must register within (3) days of moving into Illinois.[7]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Juveniles must report in person to law enforcement agency (10) days prior to changing residence.[8]

CAN JUVENILES PETITION?

Yes, juveniles adjudicated delinquent of a misdemeanor can petition to terminate duty to register after (2) years. Juveniles adjudicated delinquent for a felony can petition after (5) years.[9]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

A sex offender visiting the State of Illinois for more than (3) cumulative days in a calendar year will be required to register with the local law enforcement jurisdiction where the sex offender is staying.[10]

Source

Sex Offender Registration; Sex Offender and Child Murderer Community Notification, 730 Ill. Comp. Stat. 150/1 - 152/999.

Sex Offender Management Board; creation; duties, 20 Ill. Comp. Stat. 4026/15.

Parole: Sex offender restrictions, 730 Ill. Comp. Stat. 5/3-3-11.5.

Illinois Attorney General Booklet on the Implementation of the Adam Walsh Act in Illinois.

Telephone interview with Illinois Attorney General (September 23, 2010).

DUTY TO REGISTER

Juveniles adjudicated delinquent or juveniles convicted as adults must register.[1] If a juvenile has been adjudicated delinquent for committing a sex offense, the state is required to hold full evidentiary hearing on issue of whether the juvenile is likely to commit another sex offense before he or she can be ordered to register as sex offender. *See B.J.B. v. State,* 805 N.E.2d 870 (2004).[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[3]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[4]

DURATION AND FREQUENCY OF REGISTRATION

Must register annually in person.[5] Sex offenders must register for (10) years; violent sex offenders must register for life.[6]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[7]

RESTRICTIONS

Same as for adults. See Statute.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Indiana. Must register within (72) hours.[9]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must report any changes in address to local law enforcement within (72) hours of address change.[10]

CAN JUVENILES PETITION?

Certain offenders may petition court to remove offender designation or require registration under less restrictive conditions. Offenders who are required to register may petition if, due to a change in federal or state law after June 30, 2007, an individual who engaged in the same conduct as the offender would not be required to register or be subjected to fewer restrictions.[11]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if spends or intends to spend at least (7) days (including part of a day) in Indiana during a (180) day period.[12]

Source

Sex and Violent Offender Registration, IND. CODE §§ 11-8-8-1 to -22.

Corrections Department to maintain sex offender registry, provide format for sex offender registration, and provide information and training, IND. CODE § 11-8-2-12.4.

IOWA

DUTY TO REGISTER

Juveniles adjudicated delinquent for an offense committed by force or the threat of serious violence, by rendering the victim unconscious, or by involuntary drugging of the victim must register.[1] However, the juvenile court has the discretion to modify or suspend the registration requirements. If at the time of the hearing the juvenile is participating in an appropriate out-patient treatment program for juvenile sex offenders, the juvenile court may enter orders temporarily suspending the requirement that the juvenile register and may defer entry of a final order on the matter until such time that the juvenile has completed or been discharged from the outpatient treatment program. A suspension of registration requirements does not apply to a juvenile fourteen years of age or older at the time the offense was committed if the adjudication was for a sex offense committed by force or the threat of serious violence, by rendering the victim unconscious, or by an involuntary drugging of the victim.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[3]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.

IS THERE A NON-PUBLIC REGISTRY?

No. However, an offender will not be placed on website registry if he or she was under (20) years old at the time of the offense.[4]

REGISTERABLE OFFENSES

Juveniles adjudicated delinquent must register if the offense was committed by force, with the threat of serious violence, by rendering the victim unconscious, or by an involuntary drugging of the victim.[5]

DURATION AND FREQUENCY OF REGISTRATION

Must register for (10) years.[6] Tier 1 Offenders must register annually, Tier 2 Offenders must register semi-annually, and Tier 3 Offenders must register quarterly.[7]

COMMUNITY NOTIFICATIONS

An offender will not be placed on website registry if he or she was under (20) years old at the time of the offense.[8]

RESTRICTIONS

No requirements are expressly provided in the statute for juveniles adjudicated delinquent. See statute for restrictions that apply to convicted offenders.[9]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Iowa.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must report in person upon change of address within (5) days.[11] Must also register if offender is staying when away from the principal residence of the offender for more than (5) days.[12]

CAN JUVENILES PETITION?

Yes, juveniles adjudicated may petition for a modification of registration requirements.[13]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Offender must appear in person to notify the sheriff if staying somewhere other than his or her primary residence for more than (5) days, by identifying the location and the period of time the offender is staying in such location.[14]

Source

Sex Offender Registry, IOWA CODE §§ 692A.1 to 16.

Juvenile Sex Offenders; Registration; Community Notification, 441 IOWA CODE 103.33(692A).

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1] Court has discretion to order registration, waive registration, or require registration that is not open to inspection by the public or disclosed on a public registry.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes. If the court requires the juvenile to register but such registration is not open to the public, the juvenile can provide a copy of such court order to the sheriff at the time of registration.[3]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[4]

DURATION AND FREQUENCY OF REGISTRATION

Required to register until age (18) or at the expiration of (5) years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later.[5] Any person who is required to register must report in person (3) times a year.[6]

COMMUNITY NOTIFICATIONS

Juveniles adjudicated delinquent for sexually violent crimes are subject to the same community notification requirements as adults. See Statute.[7]

RESTRICTIONS

Same as for adults. See Statute.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Kansas.[9] Must register within (10) days.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must inform the Kansas Bureau of Investigation and must register in new state within (10) days of a change in residence.[11]

CAN JUVENILES PETITION?

No. However, duty to register terminates at age (18) or at the expiration of (5) years from the date of adjudication or, if confined, from release from confinement, whichever date occurs later.[12]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Within (10) days of coming into Kansas, the offender must register with the sheriff if temporarily staying in county for (10) or more days.[13]

Source

Offender Registration, KAN. STAT. ANN. §§ 22-4901 to -491.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Kentucky. Any person convicted of a sex offense in another jurisdiction must register with the probation or parole office in county of residence within (5) working days of relocation.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Sex Offender Registration, Ky Rev. Stat. Ann. §§ 17.495 to 580.

Treatment of Juvenile Sex Offenders Ky Rev. Stat. Ann. § 635.500 to 545.

DUTY TO REGISTER

Juveniles adjudicated delinquent for certain sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Juveniles adjudicated delinquent only for certain offenses:[3]

(a) Aggravated rape (§ 14:42),which shall include those that have been adjudicated delinquent based upon the perpetration, attempted perpetration, or conspiracy to commit aggravated oral sexual battery (formerly § 14:43.4; repealed by Acts 2001, No. 301, §2) occurring prior to August 15, 2001.

(b) Forcible rape (§ 14:42.1).

(c) Second degree sexual battery (§ 14:43.2).

(d) Aggravated kidnapping of a child who has not attained the age of thirteen years (§ 14:44).

(e) Second degree kidnapping of a child who has not attained the age of thirteen years (§ 14:44.1).

(f) Aggravated incest involving circumstances defined as an "aggravated offense" (§ 14:78.1).

(g) Aggravated crime against nature (§ 14:89.1).

DURATION AND FREQUENCY OF REGISTRATION

Most offenses require registration for (15) years.[4] Certain offenses require (25) year registration or lifetime registration.[5]

Registration is quarterly, semi-annual, or annual depending on the offense.[6]

COMMUNITY NOTIFICATIONS

Any juvenile adjudicated delinquent under Title VIII of the Louisiana Children's Code for the commission of a sex offense are exempt from any notification requirements. However, sex offenders that provide recreational instruction (e.g. dance, martial arts, theater, music, etc…) to anyone less than seventeen years of age, must post a notice in the building or facility where such instruction is being given.[7]

RESTRICTIONS

Employment restrictions apply to juveniles. See Statute.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Must register if convicted or adjudicated of an offense under the laws of another state and required to register. Must register in person within (3) days of establishing residence in Louisiana. Offender must also comply with notification requirements within (21) days of establishing residence in Louisiana.[9]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must send a written notice of change of address or other information to the law enforcement agency within (3) business days of establishing a new or additional residence.[10]

CAN JUVENILES PETITION?

Yes. The registration period of (15) years may be reduced to a period of (10) years if the juvenile offender maintains a clean record for the entire (10) year period of registration. Lifetime registration may be reduced to a period of (25) years if the juvenile offender maintains a clean record for (25) years.[11]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must notify within (3) business days of travel route and lodging if planning to stay (7) or more consecutive days.[12]

Source

Registration of Sex Offenders, Sexually Violent Predators, and Child Predators, LA. REV. STAT. 15:540 - 15:552.

Sex Offender Assessment Panels, LA. REV. STAT. 15:560 to 560.6.

MAINE

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Incoming adjudicated juveniles are not required to register. Only incoming juveniles who were convicted as adults must register.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Sex Offender Registration and Notification, ME. REV. STAT. tit. 34-A §§ 11201 to 11256.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

13.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

Juveniles adjudicated delinquent are not disclosed on the public registry.[3]

IS THERE A NON-PUBLIC REGISTRY?

Yes. Information pertaining to juvenile sex offenders will only be accessible to law enforcement personnel for law enforcement purposes.[4]

REGISTERABLE OFFENSES

Non-public registration may be required for acts that if committed by an adult would constitute a violation of MD CRIM. LAW § 3-303 (rape in the first degree); § 3-304 (rape in the second degree); § 3-305 (sex offense in the first degree); § 3-306 (sex offense in the second degree); or § 3-307(a)(1) or (2) (3rd degree sex offense); or § 3-308(b)(1) (4th degree sex offense) involving conduct described in § 3-301(f)(2) of the Criminal Law article.[5]

DURATION AND FREQUENCY OF REGISTRATION

Tier 1 and Tier 2 Offenders must register semiannually.[6] Tier 3 Offenders must register quarterly.[7] When the juvenile court's jurisdiction over a registered juvenile terminates, the juvenile shall be removed from the listing.[8]

Duration of registration is up to (5) years, unless the court determines that the person is at significant risk of committing a sexually violent offense or an offense that would require registration as a Tier 2 or Tier 3 Sex Offender.[9]

COMMUNITY NOTIFICATIONS

Juveniles adjudicated delinquent who are required to register do not have their registry information disclosed to the public.[10]

RESTRICTIONS

Court has discretion to impose special conditions, or conditions of registration as an adult lifetime registrant, after the juvenile has been investigated and a risk assessment has been performed. The Juvenile Court will advise the juvenile offender of the conditions, length and nature of those conditions, and may adjust those conditions at a later period.[11]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Maryland.[12] Must register with local law enforcement in county of residence within (3) days of entering Maryland.[13]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify the local law enforcement unit where the registrant will reside or habitually live within (3) days of any change in residence.[14]

CAN JUVENILES PETITION?

No. However, juveniles are automatically removed from the registration when the juvenile court's jurisdiction ends,[15] unless the court finds a compelling reason for registration to continue[16] in a hearing (90) days before the termination of the juvenile court's jurisdiction[17] as authorized by statute.[18]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No traveling provisions are expressly provided for in the statute.

Source

Registration of Certain Offenders, MD. CODE ANN., CRIM. PROC. §§ 11-701 to -727.

MASSACHUSETTS

DUTY TO REGISTER

Juveniles adjudicated delinquent for sex offenses are subject to registration.[1] An individualized hearing is required to assess whether the juvenile poses a risk of re-offense or danger to the public that would require registration.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No. However, only Level 2 and Level 3 Offenders are made public.[3]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[4]

DURATION AND FREQUENCY OF REGISTRATION

Offenders are subject to annual registration for (20) years; sexually violent predators and offenders convicted of two or more sex offense are subject to lifetime registration.[5]

Level 1 Offenders must verify address by mail annually.[6] Level 2 and 3 Offenders must verify address annually in person at a local police station.[7]

COMMUNITY NOTIFICATIONS

Information pertaining to sex offenders varies depending on the level of classification.[8]

Level 1 Offenders – Information available only to law enforcement but not made public;

Level 2 Offenders – Information available to law enforcement, and to the public upon request;

Level 3 Offenders – Information subject to full public disclosure.

RESTRICTIONS

Same as for adults. See Statute.[9]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state or country of jurisdiction if offense is comparable to a registerable offense in Michigan. Must register within (2) days of entering Massachusetts.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must give notification at least (10) days prior to moving.[11]

CAN JUVENILES PETITION?

Yes, offenders may apply to the sex offender registry board to terminate the obligation (10) years after conviction, adjudication, or release from custody or supervision. The offender must prove by clear and convincing evidence that he or she has not committed a sex offense within those (10) years, and is not likely to pose a danger to the safety of others.[12]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying for (14) or more days in the aggregate during any calendar year, or staying for a period of (4) or more consecutive or nonconsecutive days in any month at a place where a sex offender routinely lives, abides, lodges, or resides.[13]

Source

Sex Offender Registration, MASS. GEN. LAWS ch. 6 § 178(C) - (Q).

Doe v. Attorney General, 430 Mass. 155, 715 N.E.2d 37 (Mass. 1999).

Telephone interview with Massachusetts SOR office (September 15, 2010).

DUTY TO REGISTER

Juveniles adjudicated delinquent or convicted for sex offenses are required to register.[1] Under the Michigan Code of Criminal Procedure, "convicted" includes juveniles assigned a youthful offender status before October 1, 2004. Juveniles who have been assigned youthful trainee status on or after October 1, 2004 must register when their status is revoked and an adjudication of guilt is entered.[2]

Juveniles assigned under the Holmes Youthful Training Status[3] are also required to register. However, this applies only to certain juveniles who fall under this exception.

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

Juvenile offenders only appear on the Public Sex Offender Registry (PSOR) after age (18) if they were convicted of Criminal Sexual Conduct in the First Degree[4] or Criminal Sexual Conduct in the Second Degree.[5]

IS THERE A NON-PUBLIC REGISTRY?

Yes. Adjudicated juveniles are not disclosed on the public registry until after age (18), and only if adjudicated delinquent for Criminal Sexual Conduct in the First Degree or Criminal Sexual Conduct in the Second Degree.[6]

REGISTERABLE OFFENSES

Same as for adults, with the exception of adjudications for Romeo and Juliet offenses after Oct. 1, 2004.[7]

DURATION AND FREQUENCY OF REGISTRATION

Adjudicated juveniles have a duty to register until they turn (18) years old.

Offenders who are assigned Youthful Trainee Status and are granted an alternative registration petition by the court must register for (10) years from the first date of registration or release from a correctional facility, whichever is greater.[8] Offenders who are assigned Youthful Trainee Status are required to register for (25) years from the first date of registration, or (10) years following the release from a correctional facility, whichever is greater.[9]

COMMUNITY NOTIFICATIONS

Juveniles are not subject to community notification for any offenses while they are under the age of (18).[10]

RESTRICTIONS

Sex offenders may not work or loiter within a student safety zone.[11] However, this does not apply to an individual who is under (19) years of age who resides with his or her parent or guardian.[12] Additionally, juveniles who have successfully completed probationary period and are discharged from youth trainee status are exempted from the restrictions.[13] Exemptions do not apply to juveniles with repeat offenses.[14]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state or country of jurisdiction if offense is comparable to a registerable offense in Michigan.[15] All sex offenders must register within (10) days of moving into the Commonwealth from another jurisdiction.[16]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Offenders who move to another state are required to report to the Michigan State Police (10) days prior to moving to provide their new address.[17]

CAN JUVENILES PETITION?

Sex offenders adjudicated as juveniles may be eligible to petition the court for alternative registration requirements, including removal of a juvenile's name from the public registry. For individuals convicted before 10/1/2004, a petition must be filed within (3) years after the individual is discharged from the juvenile court's jurisdiction or, if the individual was assigned to youthful trainee status, within (3) years after he or she has successfully completed youthful trainee status. For individuals convicted after 10/1/2004, a petition cannot be filed before a juvenile's 17th birthday or after their 20th birthday.[18]

Juveniles may also petition to be removed from registration if the offender was under (13) years of age when he or she committed the offense and is not more than (5) years older than the victim,[19] was between (13) and (17) years of age when he or she committed the offense and is not more than (3) years older than the victim,[20] or the individual has successfully completed his or her probationary period as a youthful trainee for committing a listed offense, and has been discharged from Youthful Trainee Status.[21]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying in Michigan for (14) or more consecutive days, who work with or without compensation or are students in this state for (30) or more total days in a calendar year.[22]

Source

Sex Offenders Registration, MICH. COMP. LAWS §§ 28.721 to 736.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

Information may be made available to the public about offenders who are (16) years of age or older and who are out of compliance for (30) days or longer for failing to provide his or her primary or secondary addresses.[2]

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Ten years or the duration of probation, whichever is longer. Registrants must verify residence annually. Convictions for Failure to Register violations result in (5) additional years of registration.[4]

COMMUNITY NOTIFICATIONS

Juveniles adjudicated delinquent for sex offenses are not subject to the public registry. Juveniles listed as predatory offenders are also exempt from community notification law.[5] However, information may be disclosed about certain individuals who are out of compliance with the registration law, for both community notification purposes and for the Bureau of Criminal Apprehension's maintenance of a database of registered predatory offenders. Offenders are not subject to the public registry unless the offender is not in compliance for (30) days or longer for failure to provide the offender's primary or secondary addresses.[6]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Minnesota.[7]

Community notification law may apply to out of state offenders. See Statute.[8]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify law enforcement (5) days prior to establishing new residence.[9]

CAN JUVENILES PETITION?

Yes. An offender who failed to comply and later comes into compliance may send a written request to the bureau requesting the bureau to treat his or her information as private data. If an offender believes the information made public about the offender is inaccurate or incomplete, the offender may challenge the data.[10]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if entering Minnesota to reside, work, or attend school, or if entering this state and remaining for (14) days or longer.[11]

Source

Registration of Predatory Offenders, MINN. STAT. § 243.166.

DUTY TO REGISTER

Juveniles adjudicated delinquent of certain offenses and juveniles convicted as adults are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.[3]

IS THERE A NON-PUBLIC REGISTRY?

No.[4]

REGISTERABLE OFFENSES

Offenses that apply to juveniles adjudicated delinquent:[5]

(i) Section 97-3-71 relating to rape and assault with intent to ravish;

(ii) Section 97-3-95 relating to sexual battery;

(iii) Section 97-3-65 relating to statutory rape; or

(iv) Conspiracy to commit, accessory to the commission of, or attempt to commit any offense listed in this paragraph.[6]

DURATION AND FREQUENCY OF REGISTRATION

Must register for at least (25) years.[7] Must register in person every (90) days and upon any change in address, change in status of registrant's enrollment, employment or vocation at any educational institution, change of employment; or change of name.[8]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[9]

RESTRICTIONS

Minors are exempt from residential restrictions. See Statute.[10]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Mississippi. Must notify the Department of Public Safety (10) days before entering Mississippi and appear in person to sheriff within (3) business days.[11]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must give notification at least (10) days prior to change in address.[12]

CAN JUVENILES PETITION?

First time offenders aged (14) or older who have been adjudicated delinquent for rape or sexual battery and subject to lifetime registration may petition after (25) years of registration.[13] The court may relieve the offender of the duty to register only if the petitioner shows by clear and convincing evidence that he or she is not a current or potential threat to public safety.[14]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying for (14) or more days in the aggregate during any calendar year or (4) or more consecutive or nonconsecutive days in any month.[15]

Source

Registration of Sex Offenders, MISS. CODE ANN. §§ 45-33-21 to -59.

DUTY TO REGISTER

Juveniles adjudicated delinquent for sex offenses and juveniles convicted as adults for sex offenses are required to register as sex offenders. Missouri utilizes two statutes that may apply to adjudicated juvenile sex offenders. Regardless of age at the time of offense, juveniles adjudicated delinquent for sex offenses that would constitute a felony if committed by an adult will be required to register as juvenile offenders under § 211.425. If, however, the adjudicated juvenile was at least fourteen at time of an offense comparable to the definition of federal law's aggravated sexual abuse, then the juvenile will be required to register as an adult offender under Mo. Rev. Stat. § 589.400 *et seq.*[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

No minimum age for juveniles on the non-public registry.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.[3]

IS THERE A NON-PUBLIC REGISTRY?

Yes. Adjudicated juveniles regardless of age at the time of the offense, who have been found delinquent of a sex offense, are placed on a non-public registry. Adjudicated juveniles who are fourteen or older at time of offense are required to register as adult offenders are placed on the adult registry, but not disclosed to the public.[4]

REGISTERABLE OFFENSES

Juveniles adjudicated delinquent for sex related offenses that would constitute as a felony are required to register as a sex offender. See Statute.[5] Offenses equal to or greater than aggravated sexual abuse require registration as an adult sex offender.[6]

DURATION AND FREQUENCY OF REGISTRATION

Juvenile sex offenders must register semi-annually[7] until the age of (21), at which point the registration requirement automatically terminates, unless the juvenile is required to register as an adult sex offender.[8] Juveniles (14) or older, who are adjudicated for an offense which is equal to or greater than aggravated sexual abuse, including conspiracy or attempt to commit aggravated sexual abuse, are treated the same as for adults.[9]

COMMUNITY NOTIFICATIONS

Information pertaining to juveniles adjudicated delinquent is confidential and is only released to specific state agencies and individuals authorized to receive information from juvenile courts. This information is managed by the Juvenile Justice Agency.[10] Juveniles adjudicated delinquent who are required to register as adult offenders are not subject to public disclosure on the internet.[11]

RESTRICTIONS

No restrictions are expressly provided in the juvenile sex offender registration statute for juveniles adjudicated delinquent. The adult sex offender registration statute does not specifically state whether restrictions apply to those adjudicated juveniles who are required to register as adult offenders.[12]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Missouri.[13] Must register within (10) days of moving into state.[14]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must give notification of address change within (3) days.[15]

CAN JUVENILES PETITION?

No; however, registration automatically terminates when the juvenile turns (21), unless juvenile is required to register as an adult.[16] If required to register as an adult, the juvenile is still afforded the chance to petition for removal from registry.[17]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if residing for more than (7) days in a twelve-month period.[18]

Source

Registration of Offenders, Mo. Rev. Stat. §§ 589.400 - 425.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders. Montana utilizes two statutes for adjudicated juveniles found delinquent of sex offenses. Juveniles adjudicated under the Youth Court Act will be required to register as sex offenders under the Sexual Violent Offenders and Registration Act (SVORA). Juveniles adjudicated for violent offenses are required to register and the Youth Court retains disposition of compliance. Adjudicated juveniles found delinquent for a sex offense as defined under MONT. CODE ANN. § 46-23-502 may be exempt from SVORA's registration requirement if the delinquent offender has not previously been adjudicated for a sex offense and registration is not necessary for the protection of the public and relief from registering is in the public's best interest.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No.[2]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

A sexual offender is subject to lifetime registration.[4] A violent offender must register for at least (10) years.[5] Juveniles adjudicated delinquent must adhere by these registration requirements unless the court orders a lesser duration of registration.[6]

Level 1 Sexual Offenders must register annually. Level 2 Sexual Offenders must register every (180) days. Level 3 Sexual Offenders must register every (90) days.[7]

COMMUNITY NOTIFICATIONS

Same as for adults; See Statute.[8]

RESTRICTIONS

Montana's registration statute does not restrict registered offenders from residing in certain areas. However, under MONT. CODE ANN. § 46-18-255, a judge may impose restrictions on an offender's place of residence if the offender was convicted of a sexual offense against a minor and was designated a Level 3 Offender. A judge also may impose restrictions on an offender's place of residence as a condition of probation.[9]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Montana. Must register within (3) days.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify in person within (3) business days of the change at registration agency.[11]

CAN JUVENILES PETITION?

At any time after (10) years of registration for a Level 1 Sexual Offender and at any time after (25) years of registration for a Level 2 Sexual Offender, an offender may petition the sentencing court or the district court for the judicial district in which the offender resides for an order relieving the offender of the duty to register.[12] However, offenders convicted of certain offenses are not eligible to petition.[13]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register within (3) business days of entering a county of Montana for the purpose of residing or setting up a temporary residence for (10) days or more or for an aggregate period exceeding (30) days in a calendar year.[14]

Source

Registration of Sexual and Violent Offenders, MONT. CODE ANN. §§ 46-23-501 to -520.

Youth Court Act, MONT. CODE ANN. §§ 41-5-101 to 41-5-1513.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[2]

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Any juvenile, who is required to register in another jurisdiction, must register in Nebraska.[3]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.[4]

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

An offender, who is required to register in another jurisdiction, must register in Nebraska if staying for a period of at least (3) working days.[5]

Source

Sex Offender Registration; Sexual Predator Residency Restriction, NEB. REV. STAT. §§ 29-4001 to -4017.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Nevada.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Registration of Sex Offenders and Offenders Convicted of a Crime Against a Child; Community Notification, Nev. Rev. Stat. Ann. §§ 179D.010 to 179D.850

Juvenile Sex Offenses: Community Notification, Nev. Rev. Stat. Ann. §§ 62F.200 to 62F.260

Please note that the law and statutes cited above are currently being enforced. This system was repealed by the Nevada's version of the Adam Walsh Act, enacted by the Nevada Legislature in 2007. However, a permanent injunction of the new legislation was ordered by the Nevada Federal District Court and therefore the prior laws are currently being enforced. The appeal of the federal injunction is presently pending in the Ninth Circuit Court of Appeals. Also, the application of the new Adam Walsh Legislation was found to be unconstitutional as applied to adjudications of delinquency. This finding is also on appeal and pending in the Nevada Supreme Court. If the legislation does come into effect, juveniles adjudicated delinquent for the offenses lewdness with child under the age of 14 (Tier II), sexual assault (Tier III), and battery with intent to commit sexual assault (Tier III) will have to register every 90 (Tier III) or 120 days (Tier II) for a minimum of 25 years and will be subject to the public web site.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes. The public registry does not disclose information about juveniles adjudicated delinquent, arrests that did not result in a conviction, or the name or employer of the offender.[2]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Registration of any juvenile required to register automatically terminates when the juvenile turns (17) years of age, unless the court retains jurisdiction over the juvenile.[4]

Every Tier I and Tier II Offender must report in person semi-annually, within (5) business days after each anniversary of the offender's date of birth and every (6) months thereafter. Every Tier III Offender must report in person quarterly, within (5) business days after each anniversary of the offender's date of birth and every (3) months thereafter.[5]

COMMUNITY NOTIFICATIONS

Adjudicated juveniles required to register pursuant to N.H. Rev. Stat. Ann. § 651-B:4 will be included on a separate public listing. However, adjudicated juveniles required to register pursuant to N.H. Rev. Stat. Ann. § 651-B:1(XI)(a)(3) or (4) will not be included on any public listing.[6]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in New Hampshire.[7] Must register within (5) days.[8]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify within (5) days of change in address, place of employment, or school.[9]

CAN JUVENILES PETITION?

No. However, duty to register automatically terminates at age (17), unless the court which adjudicated the juvenile as a delinquent retains jurisdiction over the juvenile.[10]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying for more than (5) days during a one month period.[11]

Source

Registration of Criminal Offenders, N.H. Rev. Stat. Ann. 651-B:1 to 12.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No.[3] Law enforcement agencies can establish a juvenile central registry that other states and law enforcement agencies may access for information on juvenile offenders adjudicated in New Jersey.[4] The law enforcement agencies have discretion over recipients of a juvenile offender's registration information.[5] Juveniles who commit only one offense can petition to be relieved of internet notifications.[6]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[7]

DURATION AND FREQUENCY OF REGISTRATION

Must verify address annually.[8] Violent sex offenders must verify address every (90) days.[9] Offenders must register for at least (15) years.[10] If eligible, offenders may petition to terminate their duty to register.[11]

COMMUNITY NOTIFICATIONS

Same as for adults.[12] However, juveniles adjudicated delinquent that do not pose a high risk of re-offense are not listed on the internet registry for public access.[13] Juvenile Court judges have the discretion to impose additional notification requirements upon the juvenile.[14]

RESTRICTIONS

Same as for adults. See Statute.[15]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in New Jersey. Must register within (10) days of moving into New Jersey.[16]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify law enforcement (10) days prior to establishing new residence.[17]

CAN JUVENILES PETITION?

Yes. If offender was under (14) years of age at the time the offense was committed, he or she may petition to be removed from registry at age (18) if the offender is not deemed likely to pose a threat to others.[18] Otherwise, an adjudicated juvenile may petition to terminate obligation upon proof that he or she has not committed an offense within the (15) years following conviction or release from correctional facility.[19] *See In re L.E.*, 366 N.J. Super. 61, 65, 840 A.2d 850, 853 (2003); N.J.S.A. 2C:7-2(g).[20]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying in state for more than (14) consecutive days or for an aggregate period exceeding (30) days in a calendar year.[21]

Source

Procedures Following Release of Sex Offenders, N.J. STAT. ANN. § 2C:7-1 to -19.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court. Delinquent offenders[1] are not required to register.[2] The Children's Court has discretion to impose juvenile or adult sanctions on juveniles,[3] and has the ability to impose adult sentences on youthful offenders,[4] ultimately requiring some youthful offenders to register as sex offenders.[5]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[6]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.[7]

IS THERE A NON-PUBLIC REGISTRY?

No.[8]

REGISTERABLE OFFENSES

Delinquent offenders are not required to register.[9] However, the Children's Court has discretion to impose adult sanctions on youthful offenders that have committed or were found to be an accessory to criminal sexual penetration.[10] As such, the Children's Court may sentence youthful offenders and require them to register as a sex offender.[11]

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.[12]

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.[13]

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.[14]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

N/A, because juveniles adjudicated delinquent are not required to register.[15]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.[16]

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.[17]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.[18]

Source

Sex Offender Registration and Notification, N.M. STAT. ANN. §§ 29-11A-1 to -10.

The Children's Code, N.M. STAT. ANN. §32A-2-3.

DUTY TO REGISTER

Juveniles adjudicated delinquent are not required to register.[1] However, adjudicated juveniles who are given youth offender status may be treated similarly to adults without the formality of registering under the sex offender statute.[2] A juvenile offender convicted of a sex crime is required to register.[3]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No. However, school officials at the youthful offender's school are notified.[4]

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register. However, juveniles convicted of Rape in the First Degree, Sodomy in the First Degree, or Aggravated Sexual Abuse are not eligible for youth offender status and public registry applies.[5]

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.[6]

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.[7]

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

An incoming juvenile offender is required to register when the out of state sex offense is comparable to a registerable sex offense under New York law.[9] If establishing a residence, a juvenile offender has (10) days to register.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.[11]

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.[12]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Sex Offender Registration, N.Y. CORRECT. LAW §§ 168 - 168-w.

DUTY TO REGISTER

Juveniles adjudicated delinquent for certain sex offenses are required to register as sex offenders.[1] Adjudicated juveniles cannot be required to register unless the judge finds that the adjudicated delinquent is a danger to the community.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

Must have been (11) years of age at time of offense.[3]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

11.[4]

IS THERE A NON-PUBLIC REGISTRY?

Yes.[5] Juvenile registration information must be maintained separately by the sheriff and released only to law enforcement agencies.[6] As of December 1, 2008, juvenile registration may be released to the local board of education.[7]

REGISTERABLE OFFENSES

Juveniles adjudicated delinquent for a violation of N.C. Gen. Stat. § 1427.2 (first degree rape), N.C. Gen. Stat. § 1427.3 (second degree rape), N.C. Gen. Stat. § 1427.4 (first degree sexual offense), N.C. Gen. Stat. § 1427.5 (second degree sexual offense), or N.C. Gen. Stat. § 1427.6 (attempted rape or sexual offense) are subject to registration, provided that the juvenile was at least (11) years of age at the time of the commission of the offense, and if the court finds that the juvenile is a danger to the community.[8]

DURATION AND FREQUENCY OF REGISTRATION

Semi-annual registration required.[9]

Requirement terminates when the juvenile turns 18 or when the juvenile court's jurisdiction ends, whichever comes first.[10] The Division of Criminal Information shall maintain the registration information permanently even after the registrant's reporting requirement expires; however, the records will remain confidential.[11]

COMMUNITY NOTIFICATIONS

None apply to juveniles adjudicated delinquent.[12]

RESTRICTIONS

An offender who is required to register may not reside within 1,000 feet of a public or nonpublic school or childcare center.[13] No adult shall provide babysitting service in a home where a registered sex offender resides, or where babysitter is sex offender.[14] A sex offender may not register on a commercial social networking site.[15]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in North Carolina.[16] Must register within (3) business days of establishing residence in North Carolina.[17]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must report in person to the sheriff of the county of current residence at least (3) business days before the date the person intends to leave North Carolina to establish residence in another state or jurisdiction.[18]

CAN JUVENILES PETITION?

No. However, the duty to register terminates at age (18) or when the juvenile court's jurisdiction ends, whichever comes first.[19]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register within (3) days of being present in North Carolina for more than (15) days.[20]

Source

Sex Offender and Public Protection Registration Programs, N.C. Gen. Stat. §§ 14-208.5 - 45.

"Registration of certain delinquent juveniles," N.C. Gen. Stat. § 7B-2509.

N.C. Criminal Law & Procedure, Art. 27A, "Sex Offender and Public Protection Registration Programs."

DUTY TO REGISTER

Juveniles found delinquent of certain offenses must register.[1] The court has discretion to waive registration if the court first finds the juvenile has not been previously convicted as a sexual offender or for a crime against a child, and the juvenile did not exhibit mental abnormality or predatory conduct in the commission of the offense.[2]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.[3]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.[4]

IS THERE A NON-PUBLIC REGISTRY?

No. However, a juvenile's information is listed on the offender registry only if the offender is high risk, delinquent, or has a lifetime requirement to register.[5]

REGISTERABLE OFFENSES

A juvenile may be required to register for offenses comparable to a felonious sexual offense, attempted felonious sexual offense, a crime against a child, an attempted crime against a child, or the gross sexual imposition of a victim under the age of 15.[6]

DURATION AND FREQUENCY OF REGISTRATION

(15) years for LOW risk offenders;[7]

(25) years of MODERATE risk offenders;[8]

Lifetime for HIGH risk offenders.[9]

Must register semi-annually. Lifetime registrants must register quarterly.[10] If an offender's risk level is reassessed, it is possible that his or her registration period could be changed accordingly.[11]

COMMUNITY NOTIFICATIONS

Law enforcement has discretion to release information about juveniles.[12]

RESTRICTIONS

Same as for adults. See Statute.[13]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in North Dakota. Must register within (3) days of coming into the county.[14]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must register at new location within (3) days; must have informed old agency (10) days before moving.[15]

CAN JUVENILES PETITION?

Yes. If an individual was required to register as a sexual offender or an offender against a child before August 1, 1999, and he or she is no longer required to register, that individual may petition the court to be removed from the offender list.[16]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Staying or being physically present in state for more than (30) days in a calendar year, at a location in state for longer than (10) consecutive days, or attending school for longer than (10) days regardless of state of residence.[17] Must register within (3) days of entering North Dakota.[18]

Source

"Offenders against children and sexual offenders," N.D. CENT. CODE § 12.1-32-15.

North Dakota Sex Offender Website, available at http://www.sexoffender.nd.gov/FAQ/faq.shtml.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Duration for juveniles adjudicated delinquent differs from adults:

Tier 1 - (10) years annual registration.[4]

Tier 2 - (20) years biannual registration.[5]

Tier 3 - Lifetime registration every (90) days.[6]

COMMUNITY NOTIFICATIONS

Juveniles not subject to community notification prior to the passage of the Adam Walsh Act who have been reclassified as Tier 3 can be relieved of the community notification requirement by a judge.[7]

RESTRICTIONS

Juveniles are prohibited from occupying a residence within 1,000 feet of a school premises, preschool or child day-care center.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Ohio. Must register within (3) days.[9] Offenses committed prior to 2008 are subject to classification according to tiering standards under Megan's Law; offenses committed after January 1, 2008 are subject to tiering standards under the Adam Walsh Act.[10]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify law enforcement at least (20) days prior to a change in address, school, or institution of higher education and not later than (3) days after changing the address of the place of employment.[11]

CAN JUVENILES PETITION?

Yes. For a juvenile offender who committed or was adjudicated for a sex offense after January 1, 2008, a mandatory review hearing is held to review his or her classification after completion of disposition. The judge has discretion to terminate the classification, reclassify into a lower tier, or keep the original classification.[12] A juvenile can also petition to be reclassified (3) years after the mandatory review hearing.[13]

A juvenile offender who committed or was adjudicated for a sex offense prior to January 1, 2008 is eligible to request a hearing to contest the court's classification.[14] If the delinquent child fails to request a hearing within the specified sixty-day period, this failure constitutes a waiver of his or her right to a hearing, and the delinquent child is bound by the court's classification as a public registry-qualified juvenile offender registrant.[15]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register with the Sheriff within (3) days of arrival in the county of residence, school attendance, or employment if staying for (3) or more consecutive days or (14) days total in a calendar year.[16]

Source

Sex Offender Registration and Notification, Ohio Rev. Code Ann. §§ 2950.01 - 99.

Juvenile Sex Offender Registration and Notification, Ohio Rev. Code Ann. §§ 2152.82 - 99.

Children subject to sex offender registration and notification law, Ohio Rev. Code Ann. § 2152.191.

POWERFUL ADVOCACY IN OHIO

In an effort to comply with SORNA, the Ohio General Assembly passed Senate Bill 10 (hereinafter S.B. 10) in 2007. S.B. 10 went into effect on January 1, 2008 and drastically changed Ohio's sex-offender registries, most notably by creating a three-tiered, offense-based classification scheme. (Ohio Rev. Code Ann. §§ 2950.01(E), (F), & (G) (West 2010); formerly Ohio Rev. Code Ann. §§ 2950.09 (repealed July 1, 2007)). The new classification system required persons convicted or adjudicated delinquent of sex crimes to be categorized as Tier I, Tier II or Tier III offenders based solely on the offenses for which they were convicted. Ohio's SORNA imposes new post-release registration and community notification requirements for each tier of offenders that are more restrictive in most cases than the requirements imposed under Megan's Law.

First State deemed to be in "Substantial Compliance" with SORNA

On September 23, 2009, United States Attorney General Eric Holder announced that Ohio was the first state to substantially implement SORNA. Even before earning the dubious distinction of being the first state to come in compliance with the SORNA, the Office of the Ohio Public Defender and partners waged one of the most notable legal challenges to a law in the history of American jurisprudence. To this day, Senate Bill 10 continues to face multiple significant legal challenges.

***State v. Bodyke*, 126 Ohio St.3d 266, 933 N.E.2d 753 (2010)**

In 2010, the Ohio Supreme Court voided as unconstitutional two sections of the Ohio SORNA that authorized the state attorney general to reclassify sex offenders (both juvenile and adult) who had already been classified by judges under the previous Megan's Law, holding that the challenged provisions violated the separation-of-powers doctrine of the Ohio Constitution. The *Bodyke* decision left in place the registration and community notification requirements of SORNA applicable to sex offenders who were classified on or after the effective date of that law, and reinstated the pre-SORNA registration and community notification requirements that judges had ordered offenders to comply with pursuant to Megan's Law.

***State v. Williams*, Slip Opinion No. 2011-Ohio-3374 (2011)**

In July 2011, the Ohio Supreme Court ruled that because the classification and registration scheme in Ohio's SORNA crossed the line from civil and remedial to criminal punishment, it is unconstitutional to retroactively apply it. The *Williams* decision will relieve those convicted or adjudicated for offenses that occurred before S.B. 10's effective date from SORNA registration requirements.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.[2]

IS THERE A NON-PUBLIC REGISTRY?

Yes. There is a distinction between a juvenile registry and adult registry but information may be released to the public pursuant to a court order.[3]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[4]

DURATION AND FREQUENCY OF REGISTRATION

The duty to register terminates once a registered juvenile sex offender reaches (21) years of age or is otherwise released from the custody of the Office of Juvenile Affairs. However, the District Attorney has discretion to petition the court to transfer the offender's registration to the adult sex offender registry.[5] Juvenile sex offenders must register annually.[6]

COMMUNITY NOTIFICATIONS

Court has discretion to decide whether a juvenile offender is subject to public community notification.[7]

RESTRICTIONS

If victim or victim's parents request to be separated from the juvenile offender, the juvenile offender may not attend the school of, or ride the same bus as, that of the victim or any of the victim's siblings. The offender is allowed to attend a different school in the same district so long as neither the victim nor any of the victim's siblings attend that school. If there is not another school available in the district, then the offender may be transferred to a different school district.[8]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Oklahoma.[9]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

CAN JUVENILES PETITION?

No. The juvenile's name and information is automatically deleted from the juvenile sex offender registry, and the person may not be included in the adult sex offender registry after the offender turns (21) years of age. The court has discretion to require continued registration if a petition is filed within (90) days following the offender's twenty-first birthday or the date of release from custody, or if the court determines the offender poses an ongoing serious or aggressive threat to the public or to children under sixteen years of age.[10]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Oklahoma Juvenile Sex Offender Registration Act, OKLA. STAT. tit. 10A, §§ 7308-1.1 to -1.13.

Sex Offenders Registration Act, OKLA. STAT. tit. 57, §§ 581 - 590.1.

Zone of safety–Schools, child care facilities, playgrounds and parks--Restrictions on convicted sex offenders, OKLA. STAT. tit. 21, § 1125.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders. Court has discretion to defer juvenile adjudications requiring registration.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

Yes. Juveniles under the supervision of the Oregon Youth Authority are put on a separate registry that only releases the following information:[2]

(A) The sex offender's name and year of birth;

(B) The name and zip code of the city where the sex offender resides;

(C) The name and telephone number of a contact person at the agency that is supervising the sex offender; and

(D) The name of institutions of higher education that the sex offender attends or at which the sex offender works or carries on a vocation.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Low class felonies require annual registration for (10) years; all other felonies require annual lifetime registration.[4] Sexually violent predators must verify their address every (90) days.[5]

COMMUNITY NOTIFICATIONS

Notification is only released to the public on those persons deemed predatory offenders or sexually violent dangerous offenders by the Oregon State Police.[6]

RESTRICTIONS

Although not imposed as part of registration, frequently as conditions of probation or parole the offender is restricted from contact with victim, with children and from living within the area of a school.[7]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Oregon makes its own determination and does not honor laws of original state of jurisdiction. If juvenile has been adjudicated delinquent for an offense constituting a sex crime in Oregon but was not required to register in his or her home jurisdiction, Oregon will evaluate to see if juvenile will have to register in Oregon.[8]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify law enforcement agency within (10) days of changing address.[9]

CAN JUVENILES PETITION?

Yes. Juveniles can petition no sooner than (2) years and no later than (5) years after the termination of the juvenile court's jurisdiction.[10] Otherwise, a juvenile sex offender may be eligible to petition for termination of registration obligation after (10) years.[11] Juveniles from another jurisdiction that are required to register in Oregon may petition to be removed from the registry.[12] However, juveniles fifteen, sixteen, or seventeen years of age that are charged with a sex crime listed in Or. Rev. Stat. § 137.707 may not petition for relief under this section as part of an agreement that the person be subject to the jurisdiction of the juvenile court rather than being prosecuted as an adult.[13]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

If a youthful offender is in the state for the purpose of visiting or vacation only, and stays for more than (48) hours, they must get a travel permit, issued by the Oregon Youth Authority. If the permit exceeds (30) days, the offender's home state must provide specific reporting instructions for the juvenile to maintain contact with his or her supervising agency. The maximum length of stay under the permit may not exceed (90) days.[14]

Source

Predatory Sex Offender Notice Procedure; Sex Offender Registration, Or. Rev. Stat. §§ 181.585 - 606.

Relief from Sex Offender Reporting Requirement, Or. Rev. Stat. §§ 181.820 - 833.

Oregon State Police policies.

Oregon Administrative Rules, "Oregon Youth Authority," available at http://arcweb.sos.state.or.us/rules/ OARS_400/OAR_416/ 416_115.html.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Pennsylvania.[2] Must register within (48) hours of entering Commonwealth.[3] *See Commonwealth v. Ramadan,* 70 Pa. D. & C. 4th 521, 523-34.[4]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Registration of Sexual Offenders, 42 Pa. Cons. Stat. §§ 9791 - 9799.9.

The Juvenile Act, 42 Pa. Cons. Stat. § 6307 - 6375.

RHODE ISLAND

DUTY TO REGISTER

Only juveniles deemed sexually violent predators, "recidivists," or aggravated crime offenders must register.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No. However, juveniles are not disclosed to the public.[2]

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Rhode Island.[3]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Sexual Offender Registration and Community Notification Act, R.I. GEN. LAWS §§ 11-37.1-1 to -20.

DUTY TO REGISTER

Juveniles adjudicated delinquent of certain sex offenses are required to register as sex offenders.[1] The court has discretion to require the juvenile to register, to require public or non-public registration, and to classify the juvenile as a sexual predator or not. The presiding judge may order registration as a condition of sentencing for non-listed offenses if a solicitor shows good cause.[2] Further, a court must order that a child under (12) years of age who is convicted of, pleads guilty or *nolo contendere* to, or is adjudicated for an offense listed in S.C. Code Ann. § 23-3-430(C) be given appropriate psychiatric or psychological treatment to address the circumstances of the offense.[3]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.[4]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No. Information about juveniles under (12) years old at the time of adjudication for the first sexual offense will not be made available to the public unless he or she has prior sex offense delinquencies at the time he or she is found delinquent.[5] When information is released, there are still limits on the extent to which information will be made public or be made available to victims, witnesses, schools, child and family care centers, and businesses or organization that primarily serve children, women, or vulnerable adults.[6] Ultimately, the sheriff has discretion over what juvenile offender information is released.[7]

REGISTERABLE OFFENSES

Adjudicated juveniles found delinquent for certain offenses are listed on the public website.[8]

Registerable Offenses for Public Website:[9]

(a) criminal sexual conduct in the first degree;

(b) criminal sexual conduct in the second degree;

(c) criminal sexual conduct with minors, first degree;

(d) criminal sexual conduct with minors, second degree;

(e) engaging a child for sexual performance;

(f) producing, directing, or promoting sexual performance by a child; or

(g) kidnapping (Section 16-3-910).

Information is made available, upon request, to victims of or witnesses to the offense, public or private schools, child day care centers, family day care centers, businesses or organizations that primarily serve children, women, or vulnerable adults, as defined in Section 43-35-10(11), for persons adjudicated delinquent for committing any of the following offenses:[10]

(a) criminal sexual conduct in the third degree;

(b) criminal sexual conduct: assaults with intent to commit ;

(c) criminal sexual conduct with a minor: assaults with intent to commit;

(d) committing or attempting lewd act upon child under sixteen;

(e) peeping;

(f) incest;

(g) buggery;

(h) violations of Article 3, Chapter 15 of Title 16 involving a minor, which violations are felonies; or

(i) indecent exposure.

DURATION AND FREQUENCY OF REGISTRATION

Lifetime Registration. Juveniles must register semi-annually each year during the month of his or her birthday and again during the sixth month following his or her birth month. A juvenile determined to be a sexually violent predator pursuant to state law is required to verify registration and be photographed every (90) days.[11]

COMMUNITY NOTIFICATIONS

Law enforcement has discretion to release information about juveniles.[12]

RESTRICTIONS

Agencies may not place juveniles adjudicated for certain sex offenses in foster or therapeutic homes.[13] However, the agency may petition the court for an order allowing the juvenile to placed in a foster or therapeutic home.[14] Residency restrictions apply to certain offenders. See Statute.[15]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in South Carolina.[16] Must register within (10) days.[17]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must provide written notice to the county sheriff with whom the person last registered within (10) days of the change of address to a new state.[18]

CAN JUVENILES PETITION?

No.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if staying in South Carolina for total of (30) days in one year.[19]

Source

Sex Offender Registry, S.C. Code Ann. §§ 23-3-400 to -550.

Placement of minor sex offenders, S.C. Code Ann. §§ 63-7-2360 to 63-19-2220.

DUTY TO REGISTER

Juveniles adjudicated delinquent of certain sex offenses are required to register as sex offenders.[1] The court has discretion to suspend adjudications of delinquency.[2] If an adjudication is suspended, the juvenile is not required to register or to comply with community notifications. The term "adjudicated" includes a court's finding of delinquency, an admission, and a suspended adjudication of delinquency that has not been discharged pursuant to § 26-8C-4 prior to July 1, 2009.[3]

Any juvenile whose suspended adjudication is discharged under § 26-8C-4 after July 1, 2009, can forward a certified copy of the formal discharge by certified mail to the Division of Criminal Investigation and to local law enforcement.[4] Upon receipt of the notice, the juvenile will be removed from the sex offender registry open to public inspection and will be relieved of further registration requirements under this section.[5]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[6]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.[7]

IS THERE A NON-PUBLIC REGISTRY?

No. Information pertaining to juvenile sex offenders is subject to public disclosure to the same extent as adult sex offenders.[8]

REGISTERABLE OFFENSES

Juveniles adjudicated delinquent for rape, felony sexual contact, sexual contact with a person incapable of consenting, distribution of child pornography, sexual exploitation of a minor, kidnapping, promotion of the prostitution of a minor, criminal pedophilia, felony indecent exposure, solicitation of a minor, bestiality, and intentional exposure to HIV infection are required to register.[9]

DURATION AND FREQUENCY OF REGISTRATION

Tier I Offenders must register for at least (10) years.[10]

Tier II Offenders must register for at least (25) years.[11]

Tier III Offenders must register for life.[12]

Registration is semi-annual for all tiers.[13]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[14]

RESTRICTIONS

Residency restrictions do not apply to juveniles adjudicated who were under (18) years of age at the time of the offense.[15]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in South Dakota.[16] Must register within (3) days of moving into South Dakota.[17] No sex offender registrant, who has committed a registerable offense in some other state, is eligible to petition for removal from the sex offender registry in South Dakota unless the sex offender registrant is also eligible to petition, under substantially equivalent provisions, for removal from the sex offender registry in the state in which the registerable offense occurred.[18]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Juveniles must report to law enforcement agency in writing within (5) days of moving to a new residence.[19]

CAN JUVENILES PETITION?

Yes. If juveniles are found delinquent for a sex crime[20] and classified as a Tier I Offender, they may petition for removal after (10) years.[21] Adjudicated juveniles required to register as Tier II Offenders may petition for removal the same way as adults under the statute.[22] Juveniles may also petition to have adjudication suspended.[23]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

A sex offender must register within (3) business days of coming into any county to temporarily domicile, attend school, attend postsecondary education classes, or work.[24]

Source

Sex Offender Registry, S.D. CODIFIED LAWS §§ 22-24B-1 to -32.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

14.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

14.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

Court has discretion to notify school for certain adjudications of delinquency. See Statute.[3]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent of sex offenses.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Tennessee only requires juveniles convicted as adults to register. Juveniles adjudicated in another state are not required to register.[4]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

If the juvenile's primary residence is not in Tennessee, the juvenile must register if present in Tennessee for a period of (14) or more aggregate days during any calendar year.[5]

Source

Tennessee Internet Criminal Information Center, TENN. CODE ANN. § 38-6-116.

Sexual Offender Registration and Monitoring, TENN. CODE ANN. §§ 40-39-201 to -306.

DUTY TO REGISTER

Juveniles must register if adjudicated delinquent for a reportable adjudication, or if the juvenile is tried as an adult with a reportable conviction.[1] Juveniles adjudicated delinquent for a registerable offense are given a hearing to determine whether registration will be required.[2]

After a hearing under Article 62.351 or under a plea agreement as described in Article 62.355(b), the juvenile court may order:[3]

Full Registration – a youth must register or verify registration with the local law enforcement authority, and registration information regarding the youth must be maintained in a centralized database including posting of registration information on the Internet.[4]

Non-Public Registration – a youth must register as a sex offender, but the registration information is not considered public information and may only be used by law enforcement and criminal justice agencies. Information regarding the youth may not be posted on the Internet or released to the public.[5]

Deferred Registration – the duty to register as a sex offender is waived until the youth successfully completes treatment for the sex offense.[6]

Excused or Waived Registration – the youth has a reportable adjudication, but is not required to register as a sex offender.[7]

If the court defers registration, the court retains discretion and jurisdiction to require or to exempt respondent from registration at any time during the treatment or on the completion of treatment, whether successful or unsuccessful. During the period of deferral, registration may not be required. Following successful completion of treatment, the respondent is exempted from registration unless a hearing is held on a motion of the state and the court determines that the interests of the public require registration.[8]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.

IS THERE A NON-PUBLIC REGISTRY?

No, but court has discretion to exempt certain juveniles adjudicated delinquent from the public website.[9]

REGISTERABLE OFFENSES

Reportable Adjudications:[10]

- Indecency With a Child;[11]
- Sexual Assault;[12]
- Aggravated Sexual Assault;[13]
- Prohibited Sexual Conduct;[14]
- Aggravated Kidnapping, with the intent to violate or abuse the victim sexually;[15]
- Burglary, with the intent to commit any of the five (5) offenses listed above;[16]
- Compelling Prostitution;[17]
- Sexual Performance by a Child;[18]
- Possession or Promotion of Child Pornography;[19]
- Unlawful Restraint,[20] Kidnapping,[21] or Aggravated Kidnapping,[22] if the victim was younger than 17 years of age;
- The attempt, conspiracy, or solicitation to commit any of the offenses listed above;
- Indecent Exposure,[23] if it is the second or more conviction or adjudication; and
- Online Solicitation of a Minor.[24]

DURATION AND FREQUENCY OF REGISTRATION

Must register for (10) years.[25] Most offenders must register annually on their birthday; if an offender has two convictions of a violent offense they must register every (90) days.[26]

COMMUNITY NOTIFICATIONS

Court has discretion to exempt certain juveniles adjudicated delinquent from the public website.[27]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Texas. Juveniles adjudicated delinquent out-of-state may petition to be exempted from the registry.[28] Must register within (7) days.[29]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must report in person to the local law enforcement authority no later than (7) days prior to changing address.[30]

CAN JUVENILES PETITION?

Yes. Juveniles already registered may petition for:

(1) exemption from registration under this chapter as provided by Article 62.351; or

(2) an order under Article 62.352(b)(2) that the registration becomes nonpublic.[31]

Further, if the offender was not more than (3) years older than the victim and the victim was a child more than (14) years of age, and the offender is not a threat to public safety, the offender may petition the court for exemption from registration.[32]

Juveniles required to register for an out of state adjudication may also petition to terminate the duty to register.[33]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

A juvenile who on at least three occasions during any month spends more than (48) consecutive hours in a municipality or county in this state must register with the local law enforcement agency.[34]

Source

Texas Code of Criminal Procedure, Chapter 62, Subchapters A-H.

Sex Offender Registration Program, Tex. Code Crim. Proc. art. 62.001 through 62.408.

Texas Youth Commission- 37 Tex. Code Ann. § 87.85.

Special Driver's License or Identification Requirements for Certain Sex Offenders, Tex. Code Crim. Proc. art. 42.016

Safe Schools; Placement of Registered Sex Offenders, Tex. Educ. Code §§ 37.301 - 37.

DUTY TO REGISTER

Juveniles adjudicated delinquent are required to register as a sex offender if they have been committed to the Division of Juvenile Justice Services for secure confinement and they remain in the Division's custody (30) days prior to the offender's 21st birthday.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.[2]

IS THERE A NON-PUBLIC REGISTRY?

Yes, juveniles not required to register are placed on a separate registry that is accessible only to certain agencies.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Juveniles adjudicated delinquent must register semi-annually for the duration of the sentence and for (10) years after termination of either the sentence or custody of the Division of Juvenile Justice Services.[4]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[5]

RESTRICTIONS

Same as for adults. See Statute.[6]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Utah. Must register within (10) days of entering Utah, regardless of length of stay.[7]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Offender must notify the state agency in Utah and the state agency in the state to which the offender is moving, following the registration requirements of the statute.[8]

CAN JUVENILES PETITION?

No.[9]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

Must register if in Utah for a total of (10) or more days in any (12) month period, regardless of whether or not the offender intends to permanently reside in this state.[10]

Source

Sex offender registration – Information system – Law enforcement and courts to report – Registration – Penalty – Effect of expungement, UTAH CODE ANN. § 77-27-21.5.

Sex offender restrictions, UTAH CODE ANN. § 77-27-21.7.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court. However, juveniles will appear on the public registry when they turn age 18 if they meet certain conditions.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

18.[2]

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

18.[3]

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Convicted juveniles will be listed on a public registry at age (18) only if these apply:[4]

a. Sex offenders who have been convicted of aggravated sexual assault as defined in VT. STAT. ANN. tit.13, § 3253;

b. Sex offenders who have been convicted of a subdivision of kidnapping and sexual assault of a child as defined in VT. STAT. ANN. tit.13, § 2405(a)(1)(D).

c. Sex offenders who have been convicted of sexual assault as defined in VT. STAT. ANN. tit.13, § 3252 or lewd or lascivious conduct with a child as defined in VT. STAT. ANN. tit.13, § 2602 AND who have a prior conviction of sexual assault as defined in VT. STAT. ANN. tit.13, § 3252 or lewd or lascivious conduct with a child as defined in VT. STAT. ANN. tit.13, § 2602. Comparable offenses in another jurisdiction are included in this subsection.

d. Sex offenders who have failed to comply with sex offender registration requirements and for whose arrest there is an outstanding warrant for such noncompliance.

e. Sex offenders who have been designated as sexual predators pursuant to VT. STAT. ANN. tit.13, § 5405.

f. Sex offenders who have not complied with sex offender treatment recommended by Department of Corrections, pursuant to DOC rules and regulations.

g. Sex offenders who have been designated by DOC, pursuant to DOC rules and regulations, as high risk.

Conduct which is criminal only because of the age of the victim will not be considered an offense for purposes of the registry if the perpetrator is under the age of 18 and the victim is at least 12 years old.[5] Additionally, information regarding a sex offender will not be posted electronically if the conduct that is the basis for the offense is criminal only because of the age of the victim and the perpetrator is within 38 months of age of the victim.[6]

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Must register if convicted in any jurisdiction of the United States of an offense comparable to a registerable offense in Vermont.[7] Must register within (10) days after either establishing residence in this state or crossing into this state for purposes of employment, carrying on a vocation, or being a student.[8] However, information will be posted electronically only if the offense for which the person was required to register in the other jurisdiction was: (i) a felony; or (ii) a misdemeanor punishable by more than six months of imprisonment.[9]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

For purposes of the Registry, a person is considered to have established a residence in Vermont if they remain in the state for more than (10) consecutive days or (30) days during any calendar year and who has been convicted in any jurisdiction of the United States for a sex crime the elements of which would constitute a crime if committed in Vermont.[10]

Source

Sex Offender Registration Program; Law Enforcement Notification, VT. STAT. ANN. tit.13, § 5401 - 5414.

Sex Offender Registry, Vt. Code R. § 28-050-002.

DUTY TO REGISTER

Juveniles adjudicated delinquent are not required to register on the public registry unless the offender is (13) years of age or older and a prosecutor requests registration. Court has discretion in ordering registration.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

13.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

13.[2]

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

Same as for adults. See Statute.[3]

DURATION AND FREQUENCY OF REGISTRATION

Must register annually for life.[4]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[5]

RESTRICTIONS

No restrictions are expressly provided in the statute for juveniles adjudicated delinquent.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Virginia. Must register within (3) days of establishing residence in Virginia.[6]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

If the new residence is located outside of the Commonwealth, must register in person with the local law-enforcement agency (10) days prior to a change of residence and must register with law enforcement of new residence within (3) days of moving.[7]

CAN JUVENILES PETITION?

Yes. Offender may petition to be removed from list by Court order no earlier than (15) years after date of initial registration.[8]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

If offender is required to register in state of residence, must register in Virginia if staying for (30) days or more.[9]

Source

Sex Offender and Crimes Against Minors Registry, VA. CODE ANN. §§ 9.1-900 to -922.

Providing false information or failing to provide registration information; penalty; prima facie evidence, Va. Code Ann. § 18.2-472.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1] In Washington, any adult conviction or juvenile adjudication for either a sex or kidnapping offense, qualifies as a "conviction."

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None.[2]

IS THERE A NON-PUBLIC REGISTRY?

Yes. Level 1 Offenders are placed on a non-public registry.[3] Public registry is reserved only for non-compliant Level 1 Offenders and all Level II and III Offenders.[4]

OFFENSE REQUIRED

Same as for adults. See Statute.[5]

DURATION AND FREQUENCY OF REGISTRATION

Duration is indefinite for adjudicated juveniles found to have committed a Class A Felony sex offense. Registration ends in (15) years for a Class B registerable sex offense and (10) years for a Class C registerable sex offense.[6] The statute also allows for earlier relief for all juveniles found to have committed a registerable sex offense through a petition process.[7]

COMMUNITY NOTIFICATIONS

Law enforcement is required to notify school officials of juveniles found to have committed a sex offense.[8]

RESTRICTIONS

The Juvenile Justice Act mandates that adjudicated juveniles in the alternative sex offender disposition program cannot attend the same school as the victim or any of the victim's siblings.[9]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Must register if convicted as a sex offender or kidnapping offender in another jurisdiction. Must register within (3) days of establishing residence in Washington.[10] For a person required to register for a federal or out-of-state conviction, the duty to register will continue indefinitely.[11]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must notify law enforcement within (3) days of establishing new residence.[12]

CAN JUVENILES PETITION?

Yes, juveniles required to register may petition to terminate duty to register. Juveniles prosecuted and convicted as an adult of a sex offense or kidnapping offense may not petition to the superior court under this section. Otherwise, the court may relieve the petitioner of the duty to register if:

1. At least twenty-four months have passed since the adjudication for the offense giving rise to the duty to register and the petitioner has not been adjudicated of any additional sex offenses or kidnapping offenses;

2. The petitioner has not been adjudicated or convicted of a violation of Wash. Rev. Code 9A.44.132 (failure to register) during the twenty-four months prior to filing the petition; and

(i) The petitioner was fifteen years of age or older at the time the sex offense or kidnapping offense was committed and the petitioner shows by clear and convincing evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders; or

(ii) The petitioner was under the age of fifteen at the time the sex offense or kidnapping offense was committed and the petitioner shows by a preponderance of the evidence that the petitioner is sufficiently rehabilitated to warrant removal from the central registry of sex offenders and kidnapping offenders.[13]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.[14]

Source

Wash. Rev. Code § 4.24.550.

Registration of sex offenders and kidnapping offenders, Wash. Rev. Code § 9A.44.130 – 904.

Rev. Code Wash. (ARCW) § 13.40.217.

Notification to Teachers and Security Personnel-Rules, Wash. Rev. Code § 28A.225.330.

Wash. Rev. Code § 72.09.345.

Juvenile Justice Act of 1977, Wash. Rev. Code (ARCW) §13.40 – 900.

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of orignal state of jurisdiction if offense is comparable to a registerable offense in West Virginia.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

N/A, because juveniles adjudicated delinquent are not required to register.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

All persons convicted of offenses with similar provisions in another state, federal or military jurisdictions are to register in West Virginia if they reside, work, attend school or if they visit for more than (15) continuous days in the state.[3]

Source

Sex Offender Registration, W. VA. CODE §§ 15-12-1 to -10.

Rules and Regulations Pertaining to Sex Offender Registration, W. VA. CODE R. §§ 81-14-1 to -20.

DUTY TO REGISTER

Juveniles adjudicated delinquent and juveniles convicted as adults for sex offenses are required to register as sex offenders.[1] Juveniles adjudicated delinquent for felony sex offenses require mandatory registration but the juvenile court can "stay" registration requirements. If the juvenile successfully completes disposition, registration is not required. However, the circuit courts may stay dispositions[2] of a juvenile offender contained in an order that would have included sex offender registration requirements.[3] The circuit court is permitted to excuse certain juvenile offenders from sex offender registration if all of the following requirements are met: (1) the offender is younger than (19) years of age; (2) the offender was convicted of first-degree sexual assault of a child, second-degree sexual assault of a child, or repeated acts of sexual assault of the same child; (3) there is no more than a four-year age difference between the child and the offender; and (4) protection of the public does not require registration of the offender.[4]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.[5]

MINIMUM AGE REQUIRED FOR PUBLIC REGISTRY

Juveniles adjudicated delinquent are not disclosed on the public registry.[6]

IS THERE A NON-PUBLIC REGISTRY?

No, but information pertaining to juveniles adjudicated delinquent are confidential to victims and law enforcement.[7]

REGISTERABLE OFFENSES

Same as for adults. See Statute.[8]

Juveniles are exempt from registration if adjudicated delinquent for 948.02(1), 948.02(2), 948.025, 948.085 (2).[9] The exception only applies if the following criteria are met:[10] (1) The juvenile must **not** have been found delinquent for having sexual intercourse[11] by use of force or threat with a victim under the age of 12;[12] (2) Juveniles must be under the age of 19 when adjudicated delinquent for any of these offenses; and, (3) are not more than 4 years older or younger than the child.[13]

DURATION AND FREQUENCY OF REGISTRATION

Annually for (15) years.[14] Quarterly for Lifetime registrants.[15]

COMMUNITY NOTIFICATIONS

Same as for adults. See Statute.[16]

RESTRICTIONS

Same as for adults. See Statute.[17]

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER?

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Wisconsin. Must register within (10) days of moving into Wisconsin.[18]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

Must report (10) days prior to offender's designated law enforcement agency the address at which the offender will reside in the new jurisdiction.[19]

CAN JUVENILES PETITION?

No. However, the duty to register ends after (15) years.[20]

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

Source

Sex offender registration; Access to information concerning sex offenders; Sex offender name changes prohibited; Global positioning system tracking and residency requirement for certain sex offenders, Wis. Stat. §§ 301.45 - 48.

Telephone interview with Wisconsin SOR (November 30, 2010).

DUTY TO REGISTER

Juveniles are not required to register unless they were convicted in adult court.[1]

MINIMUM AGE THAT A JUVENILE CAN BE REQUIRED TO REGISTER

None.

MINIMUM AGE OF REGISTRATION ON PUBLIC REGISTRY

None, all juveniles convicted as adults are required to register on the public registry regardless of age.

IS THERE A NON-PUBLIC REGISTRY?

No.

REGISTERABLE OFFENSES

N/A, because juveniles adjudicated delinquent are not required to register.

DURATION AND FREQUENCY OF REGISTRATION

N/A, because juveniles adjudicated delinquent are not required to register.

COMMUNITY NOTIFICATIONS

N/A, because juveniles adjudicated delinquent are not required to register.

RESTRICTIONS

N/A, because juveniles adjudicated delinquent are not required to register.

REGISTRATION REQUIREMENTS FOR AN INCOMING JUVENILE SEX OFFENDER

Honors laws of original state of jurisdiction if offense is comparable to a registerable offense in Wyoming. Must register within (3) days.[2]

WHAT ARE THE REQUIREMENTS FOR JUVENILE SEX OFFENDERS MOVING OUT OF STATE?

No requirements are expressly provided in the statute for juveniles adjudicated delinquent.

CAN JUVENILES PETITION?

N/A, because juveniles adjudicated delinquent are not required to register.

WHAT ARE THE REGISTRATION REQUIREMENTS FOR JUVENILE SEX OFFENDERS TRAVELING OR VISITING?

N/A, because juveniles adjudicated delinquent are not required to register.

Source

Sex Offender Registration, WYO. STAT. §§ 7-19-301 to -308.

Juvenile Justice Act, WYO. STAT. ANN. § 14-6-239 - 252.

Juvenile Justice Information System, WYO. STAT. ANN. § 7-19-501 – 505.

SECTION VI ENDNOTES

Alabama

[1] ALA. CODE § 15-20-28 (2011).

[2] ALA. CODE § 15-20-28(c).

[3] ALA. CODE § 15-20-21(4).

[4] ALA. CODE § 15-20-21(4)(a).

[5] ALA. CODE § 15-20-33.

[6] ALA. CODE § 15-20-30.

[7] ALA. CODE § 15-20-28(g).

[8] ALA. CODE § 15-20-29.

[9] ALA. CODE § 15-20-29(b).

[10] ALA. CODE § 15-20-33(b).

[11] ALA. CODE § 15-20-23(b).

Alaska

[1] ALASKA STAT. § 12.63.100(3) (2011).

[2] ALASKA STAT. §§ 12.63.100(1), (6).

Arizona

[1] ARIZ. REV. STAT. ANN. § 13-3821(D) (2011).

[2] ARIZ. REV. STAT. ANN. § 13-3821(G).

[3] ARIZ. REV. STAT. ANN. § 13-3827(A).

[4] ARIZ. REV. STAT. ANN. § 13-3821(A).

[5] ARIZ. REV. STAT. ANN. § 13-3821(J).

[6] ARIZ. REV. STAT. ANN. § 13-3821.

[7] ARIZ. REV. STAT. ANN. § 13-3825(J).

[8] ARIZ. REV. STAT. ANN. § 8-341.

[9] ARIZ. REV. STAT. ANN. § 13-3821(A).

[10] ARIZ. REV. STAT. ANN. § 13-3821(A).

[11] ARIZ. REV. STAT. ANN. § 13-3822(B).

[12] ARIZ. REV. STAT. ANN. § 13-3821(F).

[13] ARIZ. REV. STAT. ANN. § 13-3821(A).

Arkansas

[1] Adjudications committed and found delinquent prior to August 1, 1997 are not "convictions" requiring registration under the Habitual Sex Offender Registration Act of 1987, which requires "any individual convicted of two or more offenses to register." *Snyder v. State,* 965 S.W.2d 121, 123-24 (Ark. 1998); *see* ARK. CODE ANN. § 12-12-901. The Arkansas Supreme Court held that the lower court had erred in requiring the defendant to register as a habitual offender because of the juvenile adjudication, interpreting the plain language of the Act to require registration only in the event of a prior conviction. *Id.* at 123-4, 333 Ark. at 283. As such, juveniles adjudicated delinquent prior to August 1, 1997 are not required to register under the Habitual Sex Offender Registration Act of 1997. *Id.* at 122, 333 Ark. at 280.

[2] ARK. CODE ANN. § 9-27-356; *see also Snyder v. State, supra.*

[3] Offenses listed under ARK. CODE ANN. §§ 9-27-356(a), (b)(1).

[4] ARK. CODE ANN. § 9-27-356(j).

[5] ARK. CODE ANN. § 12-12-913.

[6] ARK. CODE ANN. § 9-27-356(k).

[7] Until October 2010, juveniles were required to register if offense was comparable to a registerable offense in Arkansas, ARK. CODE ANN. §12-12-903(12)(A)(iii), and were required to register with local law enforcement within three business days after establishing residency in the state. ARK. CODE ANN. §12-12-906(2)(A). A recent opinion released by the Office of the Governor of Arkansas eliminated registration requirements for incoming new juvenile sex offenders, as long as they had never before registered in Arkansas.

[8] ARK. CODE ANN. § 12-12-906.

[9] ARK. CODE ANN. § 9-27-356(h).

[10] ARK. CODE ANN. § 9-27-356(j).

California

[1] CAL. PENAL CODE § 290(c); *see In re* G.C., 68 Cal. Rptr. 3d 523 (Cal. Ct. App. 2007) (a juvenile is required to register as a sex offender).

[2] CAL. PENAL CODE § 290.45(a)(3).

[3] CAL. PENAL CODE § 290.008; *see In re Derrick B.,* 39 Cal. 4th 535, 537 (Cal. 2006) (holding a juvenile offender may not be ordered to register as a sex offender under CAL. PENAL CODE § 290 if the offense he is adjudicated for is not listed in subdivision(d)(3)); *In re J.P.,* 89 Cal. Rptr. 3d 17 (Cal. Ct. App. 2009) (holding adjudication for non-forcible oral copulation could not be basis for mandatory registration because there was no requirement for similarly situated offenders adjudicated under law to register).

[4] CAL. PENAL CODE § 290.008.

[5] CAL. PENAL CODE § 290(b).

[6] CAL. PENAL CODE § 290.012.

[7] CAL. PENAL CODE §§ 290.45-290.46.

[8] CAL. PENAL CODE § 290.95.

[9] CAL. PENAL CODE § 290.005.

[10] Even when a juvenile adjudicated delinquent for a registerable offense in another state agrees to register in California under the terms of the Interstate Compact on Juveniles, the juvenile will only be required to register with the Division of Juvenile Justice (formerly the California Youth Authority) if adjudicated delinquent for a registerable offense listed under CAL. PENAL CODE §290. *In re Crocket,* 159 Cal. App. 751, 71 Cal. Rptr. 3d 632 (Cal. Ct. App. 2008) (holding that California cannot treat incoming out of state juvenile sex offenders differently from its own juvenile sex offenders); *see also In re Derrick B.,* 139 P.3d 485 (Cal. 2006).

[11] CAL. PENAL CODE § 290.013(a).

[12] CAL. PENAL CODE § 290.5; CAL. PENAL CODE § 4852.01 (describing certificate of rehabilitation); *see also* CAL. PENAL CODE § 4852.17.

[13] CAL. PENAL CODE § 290.002.

[14] *See* CAL. PENAL CODE §§ 207-209, 220, 261- 267, 286-288, 647; *see also Registerable Juvenile Offenses,* http://www.meganslaw.ca.gov/registration/juvenile.htm (2011).

Colorado

[1] COLO. REV. STAT. § 16-22-103(2)(c)(V) (2011).

[2] COLO. REV. STAT. § 16-22-103(5)(a)(III).

[3] COLO. REV. STAT. § 16-22-112.

[4] COLO. REV. STAT. § 16-22-112(2)(b)(III).

[5] COLO. REV. STAT. § 16-22-112(2)(b)(IV).

[6] COLO. REV. STAT. § §16-11.7-102.

[7] COLO. REV. STAT. § 16-22-113.

[8] COLO. REV. STAT. § 16-22-108(1)(d).

[9] COLO. REV. STAT. § 16-22-112(2)(b)(III)-(IV).

[10] COLO. REV. STAT. § 16-22-112(2)(b)(III)-(IV).

[11] COLO. REV. STAT. § 16-22-108(1)(d)(I.5)(B).

[12] COLO. REV. STAT. § 16-22-108(1)(a).

[13] COLO. REV. STAT. § 16-22-108(4)(a).

[14] COLO. REV. STAT. § 16-22-108(1)(a).

[15] COLO. REV. STAT. § 16-22-113(e).

[16] COLO. REV. STAT. § 16-22-113(3).

[17] COLO. REV. STAT. § 16-22-108(4)(b)(5).

[18] COLO. REV. STAT. § 16-22-102(8).

Connecticut

[1] Conn. Gen. Stat. § 54-250(1) (2011).

[2] Conn. Gen. Stat. § 54-251(b).

[3] Conn. Gen. Stat. § 54-253.

Delaware

[1] Del. Code Ann. tit. 11 § 4121(c) (2011).

[2] Del. Code Ann. tit. 11 §§ 4121(a)(3)(d)(3).

[3] Del. Code Ann. tit. 11 § 4121(a)(4)(b).

[4] Del. Code Ann. tit. 11 § 4121(e)(1).

[5] Del. Code Ann. tit. 11 § 4121(i).

[6] Del. Code Ann. tit. 11 § 4120(e).

[7] Del. Code Ann. tit. 11 § 4120(f)(1).

[8] Del. Code Ann. tit. 11 § 4121(e)(2).

[9] Del. Code Ann. tit. 11 § 4121(e)(2).

[10] Del. Code Ann. tit. 11 § 4120(a).

District of Columbia

[1] *See Cannon v. Igborzurkie,* 779 A.2d 887, 890-91 (D.C. 2001) (holding that the Sex Offender Registration Act of 1999 applies to juveniles prosecuted as adults).

[2] D.C. Code § 22-4001(6)(E).

Florida

[1] Fla. Stat. § 943.0435(1)(a)(1)(d) (2011); *K. J. F. v. State,* 44 So. 3d 1204, 1211 (Fla. Dist. Ct. App. 2010) (holding that plain language of the statute does not require juveniles whose adjudications had been withheld to register as sex offenders).

[2] Fla. Stat. § 943.0435(a)(1)(d).

[3] Fla. Stat. § 943.0435(11).

[4] Fla. Stat. § 943.0435(14).

[5] Fla. Stat. §§ 985.481(3)(c)-(4).

[6] Fla. Stat. § 985.481(4).

[7] Fla. Stat. § 775.215(2)(a).

[8] *See* Miami Beach, Fla. Ordinance § 70-402(d)(3) (2011).

[9] Fla. Stat. § 985.4815(1)(d)(2).

[10] Fla. Stat. § 943.0435(2)(a)(1).

[11] Fla. Stat. § 943.0435(7)-(8).

[12] Fla. Stat. § 943.0435(11)(a).

[13] Fla. Stat. § 943.04354(1).

[14] Fla. Stat. § 775.21(2)(L).

Georgia

[1] Ga. Code Ann. § 42-1-12 (2011).

[2] Ga. Code Ann. § 42-1-12(e)(6).

[3] Ga. Code Ann. § 42-1-12(e)(7).

Hawaii

[1] Haw. Rev. Stat. § 846E-1 (2011).

Idaho

[1] Idaho Code Ann. § 18-8403 (2011).

[2] Idaho Code Ann. § 18-8403.

[3] Idaho Code Ann. § 18-8404.

[4] Idaho Code Ann. § 18-8304(1)(a).

[5] Idaho Code Ann. § 18-8304(4).

[6] Idaho Code Ann. § 18-8407.

[7] Idaho Code Ann. § 18-8410.

[8] Idaho Code Ann. § 18-8412.

[9] Idaho Code Ann. § 18-8414(1).

[10] Idaho Code Ann. § 18-8328.

[11] Idaho Code Ann. § 18-8307(1)(a).

[12] Idaho Code Ann. § 18-8309(2).

[13] Idaho Code Ann. § 18-8410.

[14] Idaho Code Ann. § 18-8307(4).

Illinois

[1] 730 Ill. Comp. Stat. 150/3-5 (2011).

[2] 730 Ill. Comp. Stat. 150/2.

[3] 730 Ill. Comp. Stat. 150/7.

[4] 730 Ill. Comp. Stat. 150/3 through 150/5.

[5] 730 Ill. Comp. Stat. 152/121.

[6] *See* Illinois Attorney General Booklet on the Implementation of the Adam Walsh Act in Illinois.

[7] 730 Ill. Comp. Stat. 150/6.

[8] 730 Ill. Comp. Stat. 150/6.

[9] 730 Ill. Comp. Stat. 150/3-5(c).

[10] 730 Ill. Comp. Stat 150/6-5.

Indiana

[1] Ind. Code § 11-8-8-4.5(b) (2011).

[2] *See B.J.B. v. State,* 805 N.E.2d 870, 876 (Ind. Ct. App. 2004) The court determined that the juvenile court had erred in requiring the defendant to register as sex offender, because the court had failed to hold a sex offender registry hearing after the juvenile completed a sex offender treatment program. The juvenile court had required registration based on psychological evaluations conducted prior to the juvenile defendant's treatment and the single prior incident of sexual molestation).

[3] Ind. Code § 11-8-8-4.5(b)(2)(A).

[4] Ind. Code § 11-8-8-4.5(a).

[5] Ind. Code § 11-8-8-14.

[6] Ind. Code § 11-8-8-19.

[7] Ind. Code § 36-2-13-5.5.

[8] Ind. Code § 11-8-8-4.5.

[9] Ind. Code § 11-8-8-7.

[10] Ind. Code § 11-8-8-11(e).

[11] Ind. Code § 11-8-8-22.

[12] Ind. Code § 11-8-8-7.

Iowa

[1] Iowa Code § 692A.103(3) (2011).

[2] Iowa Code § 692A.103(5).

[3] Iowa Code § 692A.103(4).

[4] Iowa Code § 692A.121.

[5] Iowa Code § 692A.103(4).

[6] Iowa Code § 692A.106.

[7] Iowa Code § 692A.108.

[8] Iowa Code § 692A.121.

[9] Iowa Code §§ 692A.113 - 692A.115.

[10] Iowa Code § 692A.103(1).

[11] Iowa Code § 692A.104(2).

[12] Iowa Code § 692A.105.

[13] Iowa Code § 692A.128(6).

[14] The Iowa Appellate Court held that because the statute puts no limit on the number of times a court may review the issue of registration requirement, a juvenile is not limited to a single opportunity to petition for removal from the sex offender registry. *See In re B.A.,* 737 N.W.2d 665 (Iowa Ct. App. 2007). While the juvenile bears the burden of establishing that he or she does not have to register by a preponderance of the evidence, the statute does not require the presence of substantial change in circumstances to gain removal from the registry. *Id.* Finally, the court established that the juvenile court has continued jurisdiction on certain matters even after the person has been discharged from the jurisdiction of the juvenile court due to reaching the age of 18. *Id.* (emphasis added); *see* Iowa Code §§ 232.149A, 232.150, 692A.2.

Kansas

[1] Kan. Stat. Ann. § 22-4902(b) (2011).

[2] Kan. Stat. Ann. § 22-4906(h)(2)(A).

[3] Kan. Stat. Ann. § 22-4906(h)(2)(A)(iii).

[4] Kan. Stat. Ann. § 22-4902.

[5] Kan. Stat. Ann. § 22-4906(h)(1).

[6] Kan. Stat. Ann. § 22-4904(c).

[7] Kan. Stat. Ann. § 22-4909.

[8] Kan. Stat. Ann. § 22-4913.

[9] Kan. Stat. Ann. § 22-4906(i).

[10] Kan. Stat. Ann. § 22-4904(a)(1).

[11] Kan. Stat. Ann. § 22-4904(a)(5)(F).

[12] Kan. Stat. Ann. § 22-4906(h)(1).

[13] Kan. Stat. Ann. § 22-4904(a)(1).

Kentucky

[1] Ky Rev. Stat. Ann. § 17.510(6) (2011).

[2] Ky Rev. Stat. Ann. § 17.510(7).

Louisiana

[1] La. Rev. Stat. § 15:542 (2011).

[2] La. Rev. Stat. § 15:542(A)(3).

[3] La. Rev. Stat. § 15:542(A)(3).

[4] La. Rev. Stat. § 15:544.

[5] La. Rev. Stat. § 15:544(B)(2).

[6] La. Rev. Stat. § 15:542.1.1.

[7] La. Rev. Stat. § 15:542.1(B)(1).

[8] La. Rev. Stat. § 15:553.

[9] La. Rev. Stat. § 15:542.1.3(A).

[10] La. Rev. Stat. § 15:542.1.2C(1).

[11] La. Rev. Stat. § 15:544(D).

[12] La. Rev. Stat. § 15:542(C)(1)(n).

Maine

[1] Me. Rev. Stat. tit. 34-A, § 11202(1) (2011).

[2] Me. Rev. Stat. tit. 34-A, § 11202(2).

Maryland

[1] Md. Code Ann., Crim. Proc. § 11-704.1 (2011).

[2] Md. Code Ann., Crim. Proc. § 11-704.1(a)(2).

[3] Md. Code Ann., Crim. Proc. § 11-704.1(2)(b).

[4] Md. Code Ann., Crim. Proc. § 11-704.1(2)(b).

[5] Md. Code Ann., Crim. Proc. § 11-704.1(a)(1).

[6] Md. Code Ann., Crim. Proc. § 11-707(a)(1)(ii).

[7] Md. Code Ann., Crim. Proc. § 11-707(a)(2)(i).

[8] Md. Code Ann., Crim. Proc. § 11-704.1(2)(c).

[9] Md. Code Ann., Crim. Proc. § 11-707(a)(4)(iv).

[10] Md. Code Ann., Crim. Proc. § 11-704.1(2)(b).

[11] Md. Code Ann., Crim. Proc. § 11-723(d).

[12] Md. Code Ann., Crim. Proc. § 11-704(a)(4); *Graves v. State,* 772 A.2d 1225, 1235-36 (Md. 2001) (holding the statutory definition of a "sexually violent predator" does not encompass persons who have been convicted of criminal acts committed in another jurisdiction that would constitute adjudication of a sexually violent offense in Maryland).

[13] Md. Code Ann., Crim. Proc. § 11-705(b)(4).

[14] Md. Code Ann., Crim. Proc. § 11-705(e)(1); *see also* Md. Code Ann., Crim. Proc. § 11-705(h).

[15] Md. Code Ann., Crim. Proc. § 11-704.1(c).

[16] Md. Code Ann., Crim. Proc. § 11-723.

[17] Md. Code Ann., Crim. Proc. § 11-707(c)(1).

[18] Md. Code Ann., Cts. & Jun. Proc. § 3-8A-07.

Massachusetts

[1] Mass. Gen. Laws ch. 6 § 178C (2011) (setting forth a definition of sex offenders).

[2] Mass. Gen. Laws ch. 6 § 178E(f); *see Doe v. Attorney General,* 715 N.E.2d 37, 44 (Mass. 1999) (holding that the juvenile was required to be afforded an individualized hearing as a condition of registration, in the absence of narrowly tailored regulations).

[3] Mass. Gen. Laws ch. 6 § 178I.

[4] Mass. Gen. Laws ch. 6 § 178C.

[5] Mass. Gen. Laws ch. 6 § 178G.

[6] Mass. Gen. Laws ch. 6 § 178F.

[7] Mass. Gen. Laws ch. 6 § 178 F1/2.

[8] Mass. Gen. Laws ch. 6 § 178K(2); *see also* Mass. Gen. Laws ch. 6 § 178K(1).

[9] Mass. Gen. Laws ch. 6 § 178E.

[10] Mass. Gen. Laws ch. 6 § 178E(g).

[11] Mass. Gen. Laws ch. 6 § 178E(i).

[12] Mass. Gen. Laws ch. 6 § 178G.

[13] Mass. Gen. Laws ch. 6 § 178C.

Michigan

[1] Mich. Comp. Laws § 28.722 (2011).

[2] Mich. Comp. Laws § 28.722.

[3] Mich. Comp. Laws § 762.14. HYTA allows individuals ages 17 to 21, after being convicted of a criminal offense, to participate in a probation program. If they comply with the program, the conviction does not appear on their public criminal history. A person assigned to HYTA before Oct. 1, 2004 must comply with the sex offender registration requirements and remain on the sex offender registry. These individuals may petition the court for a reduced registration period of (10) years.

Persons assigned to HYTA after Oct. 1, 2004, are not required to be on the public sex offender registry. Moreover, the provisions of the Sex Offender Registration Act and the Holmes Youthful Trainee Act that require perpetrators of so-called "Romeo and Juliet" sex offenses, which involve consensual sex between minors, who are assigned to "youthful trainee status" to register as sex offenders if the offense was committed before October 1, 2004, does not violate equal protection guarantees because the Legislature has a rational basis for adopting a gradual approach to eliminating the registration requirement for that class of offenders. MICH. COMP. LAWS §§ 28.721 to 736, 762.11 to 16; *see Doe v. Mich. Dep't of State Police,* 490 F.3d 491 (6th Cir. 2007). This action protects the privacy of the offender while on trainee status. If the youth successfully completes the program, there is no criminal record, and imprisonment or probation cannot exceed three years. MICH. COMP. LAWS § 762.11.

MICH. COMP. LAWS § 762.11(3): EXCEPTIONS TO THE HOLMES YOUTHFUL TRAINEE ACT: The court shall not assign an individual to the status of youthful trainee if any of the following apply:

(a) The individual was previously convicted of or adjudicated for a listed offense for which registration is required under the sex offenders registration act, 1994 PA 295, MICH. COMP. LAWS § 28.732; or,

(b) If the individual is charged with a listed offense for which registration is required under the sex offenders registration act, 1994 PA 295, MICH. COMP. LAWS § 28.721 to 28.732, the individual fails to carry the burden of proving by clear and convincing evidence that he or she is not likely to engage in further listed offenses.

4 MICH. COMP. LAWS § 28.728(4)(a)-(b).

5 MICH. COMP. LAWS § 28.728(4)(a)-(b).

6 MICH. COMP. LAWS § 28.728(4)(a)-(b).

7 MICH. COMP. LAWS § 28.721.

8 MICH. COMP. LAWS § 28.728d.

9 MICH. COMP. LAWS §28.725(6); *see People v. Rahilly,* 247 Mich. App. 108 (Mich. Ct. App. 2001) (holding that there is no exception to the time frame mandated by the SORA statutes for youthful trainee status. According to the court, the Legislature "has concluded that law enforcement agencies and the public should, [] continue to be apprised of the individual's whereabouts for purposes of tracking the offender and for the safety of the public…[the youth trainee] is not excused from the registration procedures of the SORA.").

10 MICH. COMP. LAWS § 28.728(3)(a).

11 MICH. COMP. LAWS § 28.734.

12 MICH. COMP. LAWS § 28.735.

13 MICH. COMP. LAWS § 28.736(c).

14 MICH. COMP. LAWS § 28.736(2).

15 MICH. COMP. LAWS § 28.724(6)(c).

16 MICH. COMP. LAWS § 28.725(1).

17 MICH. COMP. LAWS § 28.725a(5).

18 MICH. COMP. LAWS § 28.728c(4).

19 MICH. COMP. LAWS § 28.728c(15)(a)(i), (b)(i).

20 MICH. COMP. LAWS § 28.728c(15)(a)(ii), (b)(ii).

21 MICH. COMP. LAWS § 28.728c(15)(c).

22 MICH. COMP. LAWS § 28.723(1).

Minnesota

1 MINN. STAT. §243.166(1b) (2011).

2 MINN. STAT. § 243.16(7a).

3 MINN. STAT. § 243.16(1).

4 MINN. STAT. § 243.166(6).

5 MINN. STAT. § 244.052 .

6 MINN. STAT. §§ 13.02(12), 243.166(7).

7 MINN. STAT. § 243.166(1b)(a)(4).

8 MINN. STAT. §§ 244.052(3), 244.10(2a).

9 MINN. STAT. § 243.166(4a).

10 MINN. STAT. § 243.166(7a).

11 MINN. STAT. § 243.166(1b)(b)(2).

Mississippi

1 MISS. CODE ANN. § 45-33-25(1)(b) (2011).

2 MISS. CODE ANN. § 45-33-25(1)(a).

3 MISS. CODE ANN. § 45-33-25(1)(a).

4 MISS. CODE ANN. § 43-21-261(9).

5 MISS. CODE ANN. § 45-33-25(1)(b).

6 MISS. CODE ANN. § 45-33-23(g). Note exceptions: conviction or adjudication for sexual battery (§ 97-3-95(1)(c)) or statutory rape (§ 97-3-65) on or after July 1, 1998, when the offender was eighteen (18) years of age or younger at the time of the alleged offense, shall not be a registerable sex offense.

7 MISS. CODE ANN. § 45-33-47.

8 MISS. CODE ANN. § 45-33-31.

9 MISS. CODE ANN. § 43-21-261(9); *see also In re Unif. Rules of Youth Court Practice,* 2008 Miss. LEXIS 616, *1 (Miss. Dec. 11, 2008) (adopting Mississippi's task force Youth Court Rules); MISS. CODE ANN. § 45-33-32(1).

10 MISS. CODE ANN. § 45-33-25(4)(b)(iv).

11 MISS. CODE ANN. § 45-33-27(5).

12 MISS. CODE ANN. § 45-33-29(1).

13 MISS. CODE ANN. § 45-33-47(2); *see also* MISS. CODE ANN. § 96-3-65 (defining the crime of rape), § 97-3-95 (defining the crime of sexual battery). Note exceptions: offender may not petition for relief from registration requirements if convicted of statutory rape, spousal rape, rape after drugging, carnal knowledge or procuring sexual servitude of a child, sexual abuse of a vulnerable adult, or any offense listed in MISS. CODE ANN. § 45-33-47. May not petition if convicted of a similar law of another jurisdiction or designated as a sexual predator in another jurisdiction. May not petition if ever convicted for two or more offenses described in MISS. CODE ANN. § 45-33-23.

14 MISS. CODE ANN. § 45-33-47(3).

15 MISS. CODE ANN. § 45-33-23(h).

Missouri

1 MO. REV. STAT. § 211.425(1) (2011); MO. REV. STAT. § 589.400-426.

2 MO. REV. STAT. § 211.425(1).

3 MO. REV. STAT. § 211.425(1); MO. REV. STAT. § 589.414.

4 MO. REV. STAT. § 211.425(3); MO. REV. STAT. § 589.402(2).

5 MO. REV. STAT. § 211.425; MO. REV. STAT. § 589.400(6); MO. REV. STAT. § 566.

6 MO. REV. STAT. § 211.425(1).

7 MO. REV. STAT. § 589.414(4).

8 MO. REV. STAT. § 211.425(6).

9 MO. REV. STAT. § 589.400(6).

10 MO. REV. STAT. § 211.425(3).

11 MO. REV. STAT. § 589.402(2).

12 MO. REV. STAT. § 589.426; *see F.R. v. St. Charles County Sheriff's Dep't,* 301 S.W.3d 56, 58 (Mo. 2010) (holding that MO. REV. STAT. § 566.147 does not apply to convictions prior to the statute's effective date of August 28, 2004, because the Missouri constitution forbids enactment of laws that are retrospective in operation); *R.L. v. State Dep't of Corr.,* 245 S.W.3d 236 (Mo. 2008) (holding the 1,000 ft. residential restriction did not apply to offenders who resided at their place of residence on or before the date that the restriction was signed into law on June 5, 2006).

13 MO. REV. STAT. § 211.425(1).

14 MO. REV. STAT. § 211.425(2).

15 MO. REV. STAT. § 589.414(2).

16 MO. REV. STAT. § 211.425(6).

[17] Mo. Rev. Stat. § 589.400(8). If required to register as an adult, if the offender was nineteen years of age or younger and the victim was thirteen years of age or older at the time of the offense, and no physical force or threat of physical force was used in the commission of the offense, the offender may file a petition after two years have passed for removal of his or her name from the registry. Or, if the offender is convicted, pleads guilty or nolo contendere to a misdemeanor violation of §§ 566.068, 566.090, 566.093, or 566.095, the offender may immediately file a petition to remove or exempt his or her name from the registry.

[18] Mo. Rev. Stat. § 589.400(10).

Montana

[1] Mont. Code Ann. 46-23-502(10)-(11)(a) (2011); Mont. Code Ann. § 41-5-1513; *see State v. Hastings,* 171 P.3d 726, 728-29 (Mont. 2007) (holding the youth court did not impose a registration requirement under SVORA and therefore, the delinquent youth was not required to register after discharge of sentence).

[2] Mont. Code Ann. § 46-23-508(1).

[3] Mont. Code Ann. § 46-23-502(9)(a).

[4] Mont. Code Ann. § 46-23-506(1).

[5] Mont. Code Ann. § 46-23-506 (2)(a).

[6] Mont. Code Ann. § 41-5-1513(6).

[7] Mont. Code Ann. § 46-23-504(6).

[8] Mont. Code Ann. § 46-23-508.

[9] Mont. Code Ann. § 46-23-504(6)(a).

[10] Mont. Code Ann. § 46-23-504(1)(c).

[11] Mont. Code Ann. § 46-23-505(1).

[12] Mont. Code Ann. § 46-23-506(3)(b).

[13] Mont. Code Ann. § 46-23-506(5).

[14] Mont. Code Ann. § 46-23-504(1)(c).

Nebraska

[1] Neb. Rev. Stat. § 29-4003(1)(a)(i) (2011) (2011).

[2] Neb. Rev. Stat. § 29-4003(1)(a)(i).

[3] Neb. Rev. Stat. § 29-4003(1)(a)(ii), (b)(ii).

[4] Juveniles convicted as adults must register within (3) business days before moving to a new out-of-state address. Neb. Rev. Stat. § 29-4004(4).

[5] Neb. Rev. Stat. § 29-4004(6).

Nevada

[1] Old sex offender registration laws continue to enforced, while 2007 amendments are modified and injunction is lifted. *See, e.g. American Civil Liberties Union of Nevada v. Cortez Masto,* 719 F. Supp. 2d 1258, 1260 (D. Nev. 2008) (holding that retroactive application of the A.B. 579 and S.B. 471, which amended the sex offender registry statutes, were unconstitutional; enforcing preliminary injunction on the amended statutes).

[2] Nev. Rev. Stat. Ann. § 179D.460.

New Hampshire

[1] N.H. Rev. Stat. Ann. §651-B:1(XI)(a)(3) (2011).

[2] N.H. Rev. Stat. Ann. § 651-B:7(3)(c)(5).

[3] N.H. Rev. Stat. Ann. § 651-B:1.

[4] N.H. Rev. Stat. Ann. § 651-B:6(IV).

[5] N.H. Rev. Stat. Ann. § 651-B:4(I).

[6] N.H. Rev. Stat. Ann. § 651-B:7(III).

[7] N.H. Rev. Stat. Ann. § 651-B:1(XI)(a)(4).

[8] N.H. Rev. Stat. Ann. § 651-B:4(I).

[9] N.H. Rev. Stat. Ann. § 651-B:5.

[10] N.H. Rev. Stat. Ann. § 651-B:6(IV).

[11] N.H. Rev. Stat. Ann. § 651-B:1(XIII).

New Jersey

[1] N.J. Stat. Ann. § 2C:7-2(a)(1) (2011).

[2] *See* http://www.state.nj.us/njsp/spoff/faq.html.

[3] N.J. Stat. Ann. § 2A:4A-60(g).

[4] N.J. Stat. Ann. § 2A:4A-60(g), amended by 2009 N.J. ALS 217, 2 (effective Nov. 1, 2010). *See State ex rel. J.P.F.,* 368 N.J. Super. 24, 31-37 (2004) (holding the non-disclosure rules in the Juvenile Code do not override community notification requirements of juvenile offenders under Meghan's law).

[5] N.J. Stat. Ann. § 2A:4A-60(f).

[6] N.J. Stat. Ann. § 2C:7-12.

[7] N.J. Stat. Ann. § 2C:7-2.

[8] N.J. Stat. Ann. § 2C:7-2(e).

[9] N.J. Stat. Ann. § 2C:7-2(e).

[10] N.J. Stat. Ann. § 2C:7-2(f).

[11] N.J. Stat. Ann. § 2C:7-2(f).

[12] N.J. Stat. Ann. § 2C:7-6; N.J. Stat. Ann. § 2C:7-10.

[13] N.J. Stat. Ann. § 2C:7-12.

[14] *See State ex rel. D.A.,* 385 N.J. Super. 411, 413-6 (2006).

[15] N.J. Stat. Ann. § 2C:43-6.6(d); N.J. Stat. Ann. § 2C:7-23.

[16] N.J. Stat. Ann. § 2C:7-2(c)(3).

[17] N.J. Stat. Ann. § 2C:7-2(d).

[18] *In re Registrant J.G.,* 169 N.J. 304, 337 (2001) (holding that juvenile offenders that committed sex offenses before age of 14 can be removed from registry at 18). Juveniles adjudicated delinquent for a sex offense must make a motion and prove under clear and convincing standard that they are not likely to pose a threat to the safety of others. *Id.; see also, In re L.E.,* 366 N.J. Super. 61, 64-66 (2003) (reasoning that the legislature did not intend to alter the court's decision in *In re Registrant* J.G. when enacting subsection g of Megan's law).

[19] N.J. Stat. Ann. § 2C:7-2(f).

[20] New Jersey Superior Court held through statutory construction of amended subsection (g) of N.J.S.A. 2C:7-2 that juveniles whose offenses were committed when they were less than fourteen are and continue to be eligible for removal from the registry when they reach eighteen. *In re L.E.,* 366 N.J. Super. 61, 65, 840 A.2d 850, 853; N.J.S.A. 2C:7-2(g). This is subject, of course, to the condition that the offender is found 'by clear and convincing evidence "not likely to pose a threat to the safety others."' *In re L.E.,* 366 N.J. Super. at 65, 840 A.2d at 853.

[20] N.J. Stat. Ann. § 2C:7-2(c)(6).

[21] N.J. Stat. Ann. § 2C:7-2(c)(6).

New Mexico

[1] Adjudicated juveniles found delinquent in children's court are labeled "delinquent offenders." *See* N.M. Stat. Ann. § 32A-2-3(C) (2011).

[2] N.M. Stat. Ann. § 29-11A-3(A); N.M. Stat. Ann. § 31-20-13(A); N.M. Stat. Ann. § 32A-2-3(J)(1)(i).

[3] N.M. Stat. Ann. § 32A-2-20(A).

[4] N.M. Stat. Ann. § 29-11A-3(A); N.M. Stat. Ann. § 31-20-13(A); N.M. Stat. Ann. § 32A-2-3(J)(1)(i).

[5] N.M. Stat. Ann. § 32A-2-3(A).

[6] N.M. Stat. Ann. § 32A-2-3(J)(1).

[7] N.M. Stat. Ann. § 32A-2-3(J)(1).

[8] N.M. Stat. Ann. § 29-11A-4.

[9] N.M. Stat. Ann. § 32A-2-3(J)(1)(i).

[10] N.M. Stat. Ann. § 32A-2-3(J)(1)(i); N.M. Stat. Ann. § 29-11A-5(D)(2).

[11] *State v. Perez,* 132 N.M. 84, 88 (N.M. Ct. App. 2002) (holding juveniles who are accessories to criminal sexual penetration are also youthful offenders).

[12] N.M. Stat. Ann. § 29-11A-4.
[13] N.M. Stat. Ann. § 29-11A-4.
[14] N.M. Stat. Ann. § 29-11A-4.
[15] N.M. Stat. Ann. § 29-11A-4.
[16] N.M. Stat. Ann. § 29-11A-4.
[17] N.M. Stat. Ann. § 29-11A-4.
[18] N.M. Stat. Ann. § 29-11A-4.

New York

[1] Sex Offender Registry Frequently Asked Questions, available at http://criminaljustice.state.ny.us/nsor/faq.htm. An individual adjudicated as a youthful offender or juvenile delinquent is not convicted of a crime, and his or her records are not available to the public. As a result, he or she is not required to be registered in New York State.

[2] N.Y. Penal Law § 60.02(3) (2011); N.Y. Penal Law § 60.35; *see also People v. Andrew W.,* 189 Misc. 2d 479, 483 (N.Y. County Ct. 2001) (Imposing adult probation to adjudicated juveniles who receive youth offender status). In the *Andrew W.* case, the court reasoned that the statutory language indicates that the legislature's intent was to impose the same 10 year probationary period on adjudicated juveniles as on convicted adult sex offenders. *Id.* at 485. However, the court has discretion of deciding whether to impose school restrictions for adjudicated juveniles. *Id.* at 486.

[3] N.Y. Correct. Law § 168-a(1).

[4] N.Y. Crim. Proc. Law § 720.35(2).

[5] *See* N.Y. Crim. Proc. Law § 720.10 for further youthful offender eligibility circumstances.

[6] N.Y. Correct. Law § 168-h; N.Y. Correct. Law § 168-f (2).

[7] N.Y. Correct. Law § 168-h(6); N.Y. Correct. Law § 168-q.

[8] N.Y. Correct. Law § 168-v.

[9] N.Y. Correct. Law § 168-k; *see Matter of Smith v Devane,* 2010 NY Slip Op 02895 (N.Y. App. Div. 3d Dep't 2010). In Devane, defendant entered a guilty plea for a felony sex offense, and received deferred adjudication by a Texas court. In Texas, a deferred adjudication is not considered a conviction; however, Texas law does require public registration for deferred adjudication. Defendant argued that he was not required to register upon moving to New York because his deferred adjudication was not a conviction. The New York Court rejected the argument and required him to register because the defendant entered a plea of guilty in Texas, which is considered a conviction in New York. Because the defendant had committed a felony, the New York court held that it was imposing registration just as Texas had.

[10] N.Y. Correct. Law § 168-k(1).

[11] N.Y. Correct. Law § 168-c(4).

[12] N.Y. Correct. Law § 168-o.

North Carolina

[1] N.C. Gen. Stat. § 14-208.26 (2011).
[2] N.C. Gen. Stat. § 14-208.26(a).
[3] N.C. Gen. Stat. § 7B-2509.
[4] N.C. Gen. Stat. § 14-208.26(a).
[5] N.C. Gen. Stat. § 14-208.29.
[6] N.C. Gen. Stat. § 14-208.29(b).
[7] N.C. Gen. Stat. § 14-208.29(b).
[8] N.C. Gen. Stat. § 14-208.26(a).
[9] N.C. Gen. Stat. § 14-208.28(1).
[10] N.C. Gen. Stat. § 14-208.30.
[11] N.C. Gen. Stat. § 14-208.31.
[12] N.C. Gen. Stat. § 14-208.29.
[13] N.C. Gen. Stat. § 14-208.16.
[14] N.C. Gen. Stat. § 14-321.1.
[15] N.C. Gen. Stat. § 14-202.5.
[16] N.C. Gen. Stat. § 14-208.6(4).
[17] N.C. Gen. Stat. § 14-208.7(a).
[18] N.C. Gen. Stat. § 14-208.27.
[19] N.C. Gen. Stat. § 14-208.30.
[20] N.C. Gen. Stat. § 14-208.7(a).

North Dakota

1 N.C. Cent. Code § 12.1-32-15(2)(c) (2011).
2 N.C. Cent. Code § 12.1-32-15(2)(c).
3 N.C. Cent. Code § 12.1-32-15(15).
4 N.C. Cent. Code § 12.1-32-15(15).
5 N.C. Cent. Code § 27-21-12(2)(f).
6 N.C. Cent. Code § 12.1-32-15(2)(a).
7 N.C. Cent. Code § 12.1-32-15(8)(a).
8 N.C. Cent. Code §12.1-32-15(8)(b).
9 N.C. Cent. Code § 12.1-32-15(8)(c).
10 http://www.sexoffender.nd.gov/FAQ/faq.shtml.
11 N.C. Cent. Code § 12.1-32-15(12)(c).
12 N.C. Cent. Code § 12.1-32-15(15); N.C. Cent. Code § 54-12-22.
13 N.C. Cent. Code § 12.1-32-15(1)(e); N.C. Cent. Code § 12.1-20-25; N.C. Cent. Code § 12-67-02(2).
14 N.C. Cent. Code § 12.1-32-15(2).
15 N.C. Cent. Code § 12.1-32-15(7).
16 N.C. Cent. Code § 12.1-32-15(16).
17 N.C. Cent. Code § 12.1-32-15(1)(g).
18 N.C. Cent. Code § 12.1-32-15(2).

Ohio

[1] Ohio Rev. Code Ann. § 2152.86 (2011).
[2] Ohio Rev. Code Ann. § 2152.86 (A)(2)(b).
[3] Ohio Rev. Code Ann. § 2950.01(A).
[4] Ohio Rev. Code Ann. § 2950.01(E).
[5] Ohio Rev. Code Ann. § 2950.01(F).
[6] Ohio Rev. Code Ann. § 2950.01(G).
[7] Ohio Rev. Code Ann. § 2950.02(A)(3); Ohio Rev. Code Ann. § 2950.02(B).
[8] Ohio Rev. Code Ann. § 2950.034(A), Opinion No. 2009-029 (the law does not provide a criminal penalty for an offender who violates this section, but provides a means through a civil process in which a judge may order the offender to move).
[9] Ohio Rev. Code Ann. § 2950.04(4).
[10] Ohio Rev. Code Ann. § 2950.032.
[11] Ohio Rev. Code Ann. § 2950.05(C).
[12] Ohio Rev. Code Ann. § 2152.85.
[13] Ohio Rev. Code Ann. § 2152.86(b).
[14] Ohio Rev. Code Ann. 2152.86(B).
[15] Ohio Rev. Code Ann. 2152.86(D).
[16] Ohio Rev. Code Ann. § 2950.04(3)(b)(iii).

Oklahoma

[1] Okla. Stat. tit. 10A, § 2-8-102 (2011).
[2] Okla. Stat. tit. 10A, § 2-8-102.
[3] Okla. Stat. tit. 10A, § 2-8-103.
[4] Okla. Stat. tit. 10A, § 2-8-102(1).
[5] Okla. Stat. tit. 10A, § 2-8-108.
[6] Okla. Stat. tit. 10A, § 2-8-106.

[7] Okla. Stat. tit. 10A, § 2-8-104(C). If the court orders the release of this information to the public at large, it shall promptly be made available for public inspection or copying pursuant to rules promulgated by the Office of Juvenile Affairs. If the court orders the release of this information through community notification, the notification shall be carried out by the local law enforcement authority applicable to the person's residence.

[8] Okla. Stat. tit. 70, § 24-100.6.

[9] Okla. Stat. tit. 10A, § 2-8-102(3).

[10] Okla. Stat. tit. 10A, § 2-8-108.

Oregon

[1] Or. Rev. Stat. § 181.592(b) (2011).

[2] Or. Rev. Stat. § 181.592(2)(b).

[3] Or. Rev. Stat. § 181.595(2).

[4] Or. Rev. Stat. § 181.820(1)(a).

[5] Or. Rev. Stat. § 181.595 (3)(a).

[6] Or. Rev. Stat. § 181.589.

[7] Or. Rev. Stat. § 419C.446.

[8] Or. Rev. Stat. § 181.596(2)(d); *see also* Or. Rev. Stat. § 417.042.

[9] Or. Rev. Stat. § 417.030(G).

[10] Or. Rev. Stat. § 181.823 (1)(a).

[11] Or. Rev. Stat. § 181.600.

[12] Or. Rev. Stat. § 181.826.

[13] Or. Rev. Stat. § 181.823(10).

[14] *See* Oregon Youth Authority "Interstate Compact," Or. Rev. Stat. §§ 420A.010 - 040; "Travel Permits §3," accessible at http://arcweb.sos.state.or.us/rules/OARS_400/OAR_416/416_115.html.

Pennsylvania

[1] 42 Pa. Cons. Stat. § 9795.2(b) (2011); *see Commonwealth v. Ramadan,* 70 Pa. D. & C. 4th 521, 524-27 (Pa. Com. Pl. 2005) (holding that an adjudication of delinquency is not a conviction under 9795.2(b)).

[2] *See* 42 Pa. Cons. Stat. § 9795.2(b)(5); 42 Pa. Cons. Stat. § 9798(e).

[3] *See* 42 Pa. Cons. Stat. § 9795.2(b)(5); 42 Pa. Cons. Stat. § 9798(e).

[4] Before the enactment of amendments to the Pennsylvania Megan's Law, only juveniles convicted of a registerable offense in another state were required to register under Pennsylvania sex offender registry. 42 Pa. Cons. Stat. § 975.2(b). After the statute was amended January 24, 2005 to include adjudications as requiring registration just like convictions, juveniles adjudicated delinquent in another state were held to not be retrospectively required to register. *Commonwealth v. Ramadan,* 70 Pa. D. & C. 4th at 523-34. (Holding that the amended version does not apply retroactively to out-of-state, adjudicated delinquencies.) Further, imposing lifetime registration requirements on juveniles for offenses resolved in juvenile court is described as contrary to the Juvenile Act, whose purpose was "to enable children to become responsible and productive members of the community." *Id.* at 530-1, quoting 42 Pa. Cons. Stat. § 6301(b).

Rhode Island

[1] R.I. Gen. Laws § 11-37.1-4 (j) (2011).

[2] R.I. Gen. Laws § 11-37.1-12(4).

[3] R.I. Gen. Laws § 11-37.1-3(d).

South Carolina

[1] S.C. Code Ann. § 23-3-430(a) (2011).

[2] S.C. Code Ann. § 23-3-430(D).

[3] S.C. Code Ann. § 23-3-500.

[4] S.C. Code Ann. § 23-3-430(a).

[5] S.C. Code Ann. § 23-3-490(3)-(4).

[6] S.C. Code Ann. § 23-3-490.

[7] S.C. Code Ann. § 23-3-490(C).

[8] S.C. Code Ann. § 23-3-490(D); *see also* South Carolina Law Enforcement Division OffenderWatch®, available at http://services.sled.sc.gov/sor/.

[9] S.C. Code Ann. § 23-3-490(D); *see also* South Carolina Law Enforcement Division OffenderWatch®.

[10] S.C. Code Ann. § 23-3-490(D)(2); *see also* South Carolina Law Enforcement Division OffenderWatch®.

[11] S.C. Code Ann. § 23-3-460(A).

[12] S.C. Code Ann. § 23-3-490(C).

[13] S.C. Code Ann. § 63-7-2360(a); *see* S.C. Code Ann. § 63-7-2360(b) for list of applicable offenses.

[14] *See* S.C. Code Ann. § 63-7-2360(a).

[15] S.C. Code Ann. § 23-3-535; S.C. Code Ann. § 23-3-465.

[16] S.C. Code Ann. § 23-3-440(2); S.C. Code Ann. § 17-25-135; *see In re Shaquille O'Neal B.,* 385 S.C. 243, 255 (S.C. 2009) (holding juvenile not required to register as sex offender in South Carolina because the adjudicated offense in North Carolina is not comparable enough to the South Carolina offense).

[17] S.C. Code Ann. § 23-3-460(F).

[18] S.C. Code Ann. § 23-3-460(E).

[19] S.C. Code Ann. § 23-3-430(B).

South Dakota

[1] S.D. Codified Laws § 22-24B-2 (2011).

[2] S.D. Codified Laws § 22-24B-2; *see H.B. 1079,* 84th Leg. (S.D. 2009).

[3] *See In re Z.B.,* 2008 S.D. 108 (2008) (it is unconstitutional to treat juvenile sex offenders convicted of the same crimes as adult sex offenders differently and more harshly than the adult sex offenders. Adults who committed the same offenses were able to have their names removed from the registry if they obtained a suspended imposition of the sentence. There was no equivalent for juvenile offenders. The court concluded that under the Equal Protection Clause the juvenile, and others similarly situated, were denied equal protection.) South Dakota holds SORNA to be unconstitutional unless the ability to petition for removal from registration is allowed for juveniles adjudicated delinquent.

[4] S.D. Codified Laws § 22-24B-2.

[5] S.D. Codified Laws § 22-24B-2.

[6] S.D. Codified Laws § 22-24B-2.

[7] S.D. Codified Laws § 22-24B-2.

[8] S.D. Codified Laws § 22-24B-15; 2003 S.D. AG LEXIS 5 (S.D. AG 2003).

[9] S.D. Codified Laws § 22-24B-1; S.D. Codified Laws § 22-22-1; S.D. Codified Laws § 22-22-7.2.

[10] S.D. Codified Laws § 22-24B-2.1.

[11] S.D. Codified Laws § 22-24B-2.1.

[12] S.D. Codified Laws § 22-24B-2.1.

[13] S.D. Codified Laws § 22-24B-7.

[14] S.D. Codified Laws 22-24B-2.

[15] S.D. Codified Laws § 22-24B-23(5).

[16] S.D. Codified Laws §§ 22-24B-33-34; S.D. Codified Laws § 26-12-15.

[17] S.D. Codified Laws § 22-24B-2.

[18] S.D. Codified Laws § 22-24B-33.

[19] S.D. Codified Laws § 22-24B-12.

[20] S.D. Codified Laws § 22-24B-1 (for a list of applicable offenses).

[21] S.D. Codified Laws § 22-24B-19(1).

[22] S.D. Codified Laws § 22-24B-19.1.

[23] S.D. Codified Laws § 22-24B-2; *see* H.B. 1079, 84th Leg. (S.D. 2009); *see also In re Z.B.,* 2008 SD 108 (S.D. 2008).

[24] S.D. Codified Laws § 22-24B-2.

Tennessee

[1] Tenn. Code Ann. § 40-39-202(19) (2011).

[2] Tenn. Code Ann. § 37-1-153(b)(1).

[3] Tenn. Code Ann. § 37-1-131.

[4] Tenn. Code Ann. § 40-39-203.

[5] Tenn. Code Ann. § 40-39-202(18).

Texas

[1] Tex. Code Crim. Proc. Ann. art. 62.001(5) (2011).

[2] Tex. Code Crim. Proc. Ann. art. 62.351(a).

[3] 37 Tex. Code Ann. § 87.85.

[4] 37 Tex. Code Ann. § 87.85(c)(2).

[5] 37 Tex. Code Ann. § 87.85(c)(3).

[6] 37 Tex. Code Ann. § 87.85(c)(4).

[7] 37 Tex. Code Ann. § 87.85(c)(5).

[8] Tex. Code Crim. Proc. Ann. art. § 62.352.

[9] 42 U.S.C. § 16918(c).

[10] 37 Tex. Code Ann. § 87.85.

[11] Tex. Penal Code § 21.11.

[12] Tex. Penal Code § 22.011.

[13] Tex. Penal Code § 22.021.

[14] Tex. Penal Code § 25.02.

[15] Tex. Penal Code § 20.04(a)(4).

[16] Tex. Penal Code § 30.02(d).

[17] Tex. Penal Code § 43.05.

[18] Tex. Penal Code § 43.25.

[19] Tex. Penal Code § 43.26.

[20] Tex. Penal Code § 20.02.

[21] Tex. Penal Code § 20.03.

[22] Tex. Penal Code § 20.04.

[23] Tex. Penal Code § 21.08.

[24] Tex. Penal Code § 33.021.

[25] Tex. Code Crim. Proc. Ann. art. 62.101(c)(1) (duty to register ends on the 10th anniversary of the date of disposition, or the date the person completes the terms of the disposition, whichever date is later); Tex. Code Crim. Proc. Ann. art. 62.101(c)(2) (if the person's duty to register is based on a conviction or on an order of deferred adjudication, the person's duty to register ends on the 10th anniversary of the date the court dismisses the criminal proceedings against the person and discharges the person, the person is released from a penal institution, or the person discharges community supervision, whichever date is later).

[26] Sex Crimes Offender Registration Unit of Harris County, TX: Frequently Asked Questions, available at http://www.hcso.hctx.net/detective/scor/faq.asp.

[27] 42 U.S.C. § 16918(c).

[28] Tex. Code Crim. Proc. Ann. art. 62.354.

[29] Tex. Code Crim. Proc. Ann. art. 62.051(a)(1).

[30] Tex. Code Crim. Proc. Ann. art. 62.055(a).

[31] Tex. Code Crim. Proc. Ann. art. 62.353.

[32] Tex. Code Crim. Proc. Ann. art. 62.301(d); Tex. Penal Code Ann. § 22.011.

[33] Tex. Code Crim. Proc. Ann. art. 62.354.

[34] Tex. Code Crim. Proc. Ann. art. 62.059(a).

Utah

[1] Utah Code Ann. § 77-27-21.5(vi) (2011); Utah Code Ann. § 77-27-21.5(1)(c).

[2] Utah Code Ann. § 77-27-21.5(1)(n).

[3] Utah Code Ann. § 77-27-21.5(1)(n)(i).

[4] Utah Code Ann. § 77-27-21.5(12)(a).

[5] Utah Code Ann. § 77-27-21.5(24); Utah Code Ann. § 77-27-21.5(25); Utah Code Ann. § 77-27-21.5(26); Utah Code Ann. § 77-27-21.5(27).

[6] Utah Code Ann. § 77-27-21.7.

[7] Utah Code Ann. § 77-27-21.5(10).

[8] Utah Code Ann. § 77-27-21.5(13)(a)(i).

[9] Utah Code Ann. § 77-27-21.5(12)(c)(i)(B).

[10] Utah Code Ann. § 77-27-21.5(1)(g)(iii).

Vermont

[1] Vt. Stat. Ann. tit.13, § 5411a(f) (2011).

[2] Vt. Stat. Ann. tit.13, § 5401(D).

[3] Vt. Stat. Ann. tit.13, § 5411a(f).

[4] Vt. Stat. Ann. tit.13, § 5401 (10)(B).

[5] Vt. Stat. Ann. tit.13, § 5411a(7)(A).

[6] Vt. Stat. Ann. tit.13, § 5411a(e).

[7] Vt. Stat. Ann. tit.13, § 5401(10)(C).

[8] Vt. Stat. Ann. tit.13, § 5407(a)(1); Vt. Code R. § 28-050-002.

[9] Vt. Stat. Ann. tit.13, § 5411a(7)(B).

[10] Vt. Stat. Ann. tit.13, § 5407(a)(1); Vt. Code R. § 28-050-002.

Virginia

[1] Va. Code Ann. § 9.1-902(G) (2011).

[2] Va. Code Ann. § 9.1-902(G).

[3] Va. Code Ann. § 9.1-902.

[4] Va. Code Ann. § 9.1-904.

[5] Va. Code Ann. § 9.1-914.

[6] Va. Code Ann. § 9.1-905.

[7] Va. Code Ann. § 9.1-903(D).

[8] Va. Code Ann. § 9.1-910.

[9] Va. Code Ann. § 16.1-323(viii).

Washington

[1] Wash. Rev. Code § 9A.44.128(2) (2011) (2011).

[2] Wash. Rev. Code § 9A.44.128(2).

[3] Wash. Rev. Code § 4.24.550(5)(a); Wash. Rev. Code § 13.40.217.

[4] Wash. Rev. Code § 4.24.550(5)(a)(ii).

[5] Wash. Rev. Code § 9A.44.03; for exceptions, *see:* "Defenses to prosecution under this chapter."

[6] Wash. Rev. Code 9A.140; *see also* http://apps.leg.wa.gov/RCW/default.aspx?cite=9A.44.140.

[7] Wash. Rev. Code § 9A.44.143.

[8] Wash. Rev. Code § 9A.44.130 (1)(b); Wash. Rev. Code § 72.09.345.

[9] Wash. Rev. Code § 13.40.160(b)(ix).

[10] Wash. Rev. Code § 9A.44.130(v).

[11] Wash. Rev. Code § 9A.44.140(4).

[12] Wash. Rev. Code § 9A.44.130(5).

[13] Wash. Rev. Code § 9A.44.143.

[14] Wash. Rev. Code § 9A.44.130 - 904.

West Virginia

[1] W. Va. Code § 15-12-2.

[2] W. Va. Code § 15-12-9.

[3] W. Va. Code § 81-14-6.

Wisconsin

[1] Wis. Stat. § 301.45.

[2] Wis. Stat. § 938.34.

[3] Wis. Stat. § 938.34(16); *see In re Cesar G.,* 272 Wis. 2d 22, 41 (2004) (holding that circuit court had the authority to stay that part of a dispositional order requiring defendant to register as a sex offender).

[4] Wis. Stat. § 301.45(1m).

[5] Wis. Stat. § 938.34(15m).

[6] Wis. Stat. § 301.45(2)(6m).

[7] Wis. Stat. § 301.46(4)(ag).

[8] Wis. Stat. §§ 301.45(b); 301.46(1m).

[9] Wis. Stat. § 301.45(1m)(a)(1).

[10] Wis. Stat. § 301.45(1m).

[11] Wis. Stat. § 948.01(6).

[12] Wis. Stat. § 301.45(1m)(a)(1g).

[13] Wis. Stat. § 301.45(1m)(a)(2).

[14] Wis. Stat. § 301.45(5).

[15] Wis. Stat. § 301.46(3); Wis. Stat. § 301.48.

[16] Wis. Stat. § 301.46(5).

[17] Wis. Stat. § 301.45(4r).

[18] Wis. Stat. § 301.45(2m).

[19] Wis. Stat. § 301.45(4m).

[20] Wis. Stat. § 301.45(5).

Wyoming

[1] Wyo. Stat. § 7-19-301(H)(viii).

[2] Wyo. Stat. § 7-19-301(a)(viii).

DIRECTORY OF STATE SEX OFFENDER REGISTRATION ADMINISTRATORS

This section gives the reader a Directory of the State Sex Offender Registration Administrators (officially called "SORs"), the official(s) assigned by the U.S. Department of Justice to oversee the sex offender registration and notification system in each jurisdiction.

Alabama
Department of Public Safety.....(334) 353-1172

Alaska
Department of Public Safety.....(907) 269-5550

Arizona
Sex Offender Compliance Unit .....(602) 223-2877

Arkansas
Arkansas Crime Information Center .....(501) 682-2222

California
California Department of Justice
Sex Offender Tracking Program.....(916) 227-4974

Colorado
Department of Public Safety .....(303) 239-4222

Connecticut
Department of Public Safety .....(860) 685-8060

Delaware
State Bureau of Identification
Sex Offender Central Registry.....(302) 672-5319

District of Columbia
Metropolitan Police Department,
Sex Offender Registry Unit .....(202) 727-4407

Florida
Florida Department of Law Enforcement
Florida Offender Registration &
Tracking Services .....(850) 410-8572

Georgia
Georgia Bureau of Investigation.....(404) 270-8465

Hawaii
Sex Offender Registration Unit .....(808) 587-3100

Idaho
Idaho State Police.....(208) 884-7305

Illinois
Illinois State Police Registration Unit .....(217) 785-0653

Indiana
Indiana Department of Correction.....(317) 232-1232

Iowa
Dept. of Public Safety .....(515) 725-6050

Kansas
Kansas Bureau of Investigation .....(785) 296-2841

Kentucky
Kentucky State Police .....(502) 227-8700

Louisiana
LA Bureau of Criminal
Identification & Info.....(800) 858-0551

Maine
State Bureau of Identification/
Sex Offender Registry .....(207) 624-7271

Maryland
Maryland Department of Public Safety
and Correctional Services.....(410) 585 3604

Michigan
Michigan State Police
Public Sex Offender Registry (PSOR). .....(866) 761-7678

Minnesota
Minnesota Department of Corrections.....(651) 361-7340

Mississippi
Department of Public Safety
Sex Offender Registry .....(601) 987-1540

Missouri
Missouri State Highway Patrol,
Criminal Justice Information Services Division,
Sex Offender Registry Section.....(573) 526-6347

Montana
Sexual or Violent Offender Registration Unit
Division of Criminal Investigation.....(406) 444-2497

Nebraska
Nebraska State Patrol
Sex Offender Registry .....(402) 471-8640

Nevada
Nevada Sex Offender Registry.....(775) 684-6262

New Hampshire
Department of Safety
Sex Offender Registry .....(603) 271-6344

New Jersey
New Jersey State Police .....(609) 882-2000

New Mexico
New Mexico Department of Public Safety .....(505) 827-9193

New York
New York State Division of
Criminal Justice Services
Sex Offender Registry .....(518) 457-3167

North Carolina
NC State Bureau of Investigation .....(919) 662-4500

North Dakota
Bureau of Criminal Investigation .....(701) 328-5500

Ohio
Bureau of Criminal Identification
& Investigation .....(740) 845-2221

Oklahoma
Sex and Violent Offender
Registration Unit .....(405) 425-2872

Oregon
Oregon State Police .....(503) 934-0176

Pennsylvania
Pennsylvania State Police, Bureau of Records
and Identification, Megan's Law Section .....(866) 771-3170

Rhode Island
Rhode Island State Police .....(401) 421-5268

South Carolina
South Carolina Law Enforcement Dept. .....(803) 896-7142

South Dakota
Office of the Attorney General.
Division of Criminal Investigation .....(605) 773-3331

Tennessee
Tennessee Bureau of Investigation .....(888) 837-4170

Texas
Texas Department of Public Safety .....(512) 424-2800

Utah
Utah Department of Corrections .....(801) 495-7700

Vermont
Vermont Sex Offender Registry
Vermont Criminal Information Center .....(802) 241-5400

Virginia
Virginia State Police .....(804) 674-2789

Washington
Washington State Patrol .....(360) 534-5119

West Virginia
West Virginia State Police .....(304) 746-2133

Wisconsin
Wisconsin Department of Corrections
Sex Offender Registration Program.....(608) 240-5830

Wyoming
Wyoming Sex Offender Registry .....(307) 777-7809

DEDICATION

This book is dedicated to **Ellen T. Greenlee,** Chief Defender of the Defender Association of Philadelphia for her vision and steadfast support over the last six years. Without it and the support of the Defender Association this project would not have been possible.

ACKNOWLEDGEMENTS

We hereby acknowledge the following individuals and organizations for their contributions to this book

Miriam Aukerman
Caitlin Berry
Julie Biehl
Amy Borror
Dorothy Brown
Sarah Bryer
Michael Buncher
Betsy Clarke
Cathryn Crawford
Sharon Denniston
Rachael Eisenberg
Arlene Rivera Finkelstein
Amy Halbrook
Mark Houldin
Jen Horvath
Sara Jacobson
Kristen Jones
Eve Klothen
Cheryl Kreisher
Alan Malone
Rob Mason
Marjorie Moss
Nancy MacEoin
Lori Mach
Ellen McBennett
Julie McFarlane
Robert Newman
Maggie Niebler
Christopher Northrop
Brad Peterson
Karen Pearlman Raab
Christine Rapillo
Susan Roske
Bob Sheil
Pasqua Scibelli
Emma Rose Stuhlmann
Peter Thompson
Gwen Tolbert
Randee Waldman
Shelli Weisberg
Megan Williams
Tracy Velázquez
George Yeannakis
Eric Zogry

Thank you to the following organizations who without their generous contributions and support this book would not have been completed

Defender Association of Philadelphia
Dolfinger-McMahon Foundation
National Juvenile Defender Center
Public Welfare Foundation
Soros Open Society Foundations

SPECIAL THANKS

*We would also like to thank **Patti Puritz** and **Mary Ann Scali,** the Executive Director and Deputy Director of the National Juvenile Defender Center (NJDC) for their wise counsel and commitment to excellence in the representation of juveniles charged with sex offenses.*

Additionally, Nicole Pittman wishes to personally thank the following individuals for their inspiration, knowledge, support, and other help in creating this book

Karl Baker
Shelia Bedi
Charles A. Cunningham
Timothy P. Foley
Judge Ernestine Gray
Ellen T. Greenlee
Marsha Levick
Anne Lindsey
Robert L. Listenbee
Katayoon Majd
Quyen Nguyen
Robert A. Prentky
Robert Schwartz
Sandra Simkins
Luisa Taveras
Sarah Tofte
Franklin Zimring

DEFENDER
ASSOCIATION
OF PHILADELPHIA

NATIONAL JUVENILE DEFENDER CENTER