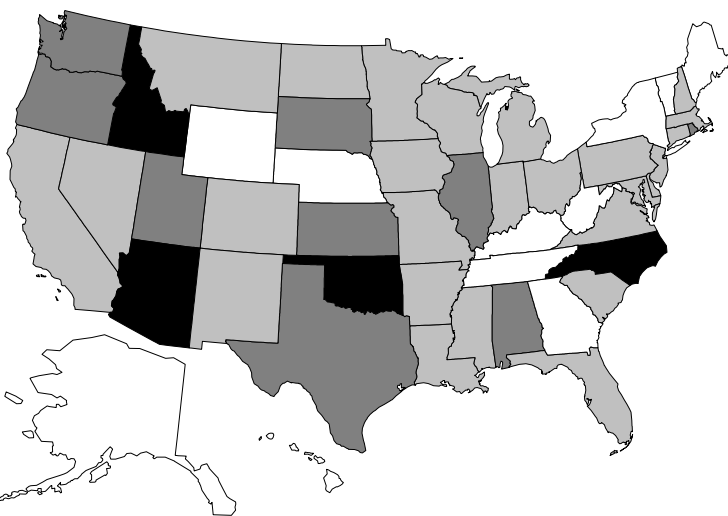


Megan's Law: Termination of Registration Requirement (2009 Update)

Linda A. Szymanski, Esq., Chief of Legal Research, NCJJ

Termination of Registration for Adjudicated Juveniles



■ Age limit on juvenile registration	(4)
■ Time limit on juvenile registration	(9)
■ Possible lifetime registration for adjudicated juveniles	(26)
□ No registration for adjudicated juveniles	(12)

Thus far in the 2009 legislative session, the following 39 states permit or require adjudicated juveniles to register as sex offenders: Alabama, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Utah,

Virginia, Washington, and Wisconsin.

In 26 of these 39 states adjudicated juveniles face the possibility of lifetime sex offender registration for specified serious sex offenses: Arkansas, California, Colorado, Connecticut, Delaware, Florida, Indiana, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Jersey, New Mexico, North Dakota, Ohio, Pennsylvania, South Carolina, Virginia, and Wisconsin.

Currently, 4 states set an age limit on juvenile sex offender registration. In North Carolina this duty terminates at age 18 if certain conditions are met. In both Idaho and Oklahoma the duty terminates at age 21, but a juvenile can be transferred to the adult sex offender registry under specified conditions. In Arizona the duty terminates for adjudicated juveniles at age 25.

The remaining 9 states set a time limit on juvenile sex offender registration, such as a specified number of years from the date of release from custody. Other states within this group of 9 permit the juvenile to petition the court for relief from registration within a specified number of years. States that set time limits are: Alabama, Illinois, Kansas, Oregon, Rhode Island, South Dakota, Texas, Utah, and Washington.

In 2006, the federal Adam Walsh Child Protection and Safety Act of 2006 was signed into law. As of February 1, 2009, no state has been certified to be in substantial compliance with the federal Act. States were required to comply with the Act by July 2009 or lose 10 percent of the state's federal funds. Recently the deadline for compliance was extended to July 2010.

Under the terms of the federal Act, the term

“convicted”, used with respect to a sex offense, includes adjudicated delinquent as a juvenile for that offense, but only if the offender is 14 or older at the time of the offense and the offense adjudicated was comparable to or more severe than aggravated sexual abuse (as defined in the federal statutes), or was an attempt or conspiracy to commit such an offense.

Such a juvenile potentially would face a lifetime of sex offender registration under the federal Act. However, this registration period could be reduced to 25 years, if such a juvenile maintains a clean record for those 25 years.

So far, states prefer to maintain individual control over their juvenile sex offenders rather than adopt a uniform federal procedure.

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