

Sex Offender Community Notification: A Review of Laws in 32 States

EXECUTIVE SUMMARY

Community notification refers to the distribution of information regarding released sex offenders to citizens and community organizations. This report analyzes the 32 states with legislation authorizing some form of notification, or access to information, on registered sex offenders. The states can be organized into the following categories:

- **Broad community notification.** This category includes states authorizing the broad release of sex offender information to the public. This type of notification is authorized in 13 states.
- **Notification to organizations and individuals at risk.** In this version of notification, information is released based on the need to protect an individual or vulnerable organization from a specific offender. Laws allowing this type of notification exist in 8 states.
- **Access to registration information.** The 11 states in this category allow access by citizens or organizations to sex offender information through local law enforcement.

Almost two-thirds of the states that authorize notification have enacted guidelines and procedures for notification into state law. A few states require specific *Community Notification Guidelines Committees* to establish procedures. These procedures cover the type of offenders subject to notification, how and what information is disseminated, and who is notified. The remaining one-third states' statutes authorizing notification allow broad discretion to public officials in their decision-making.

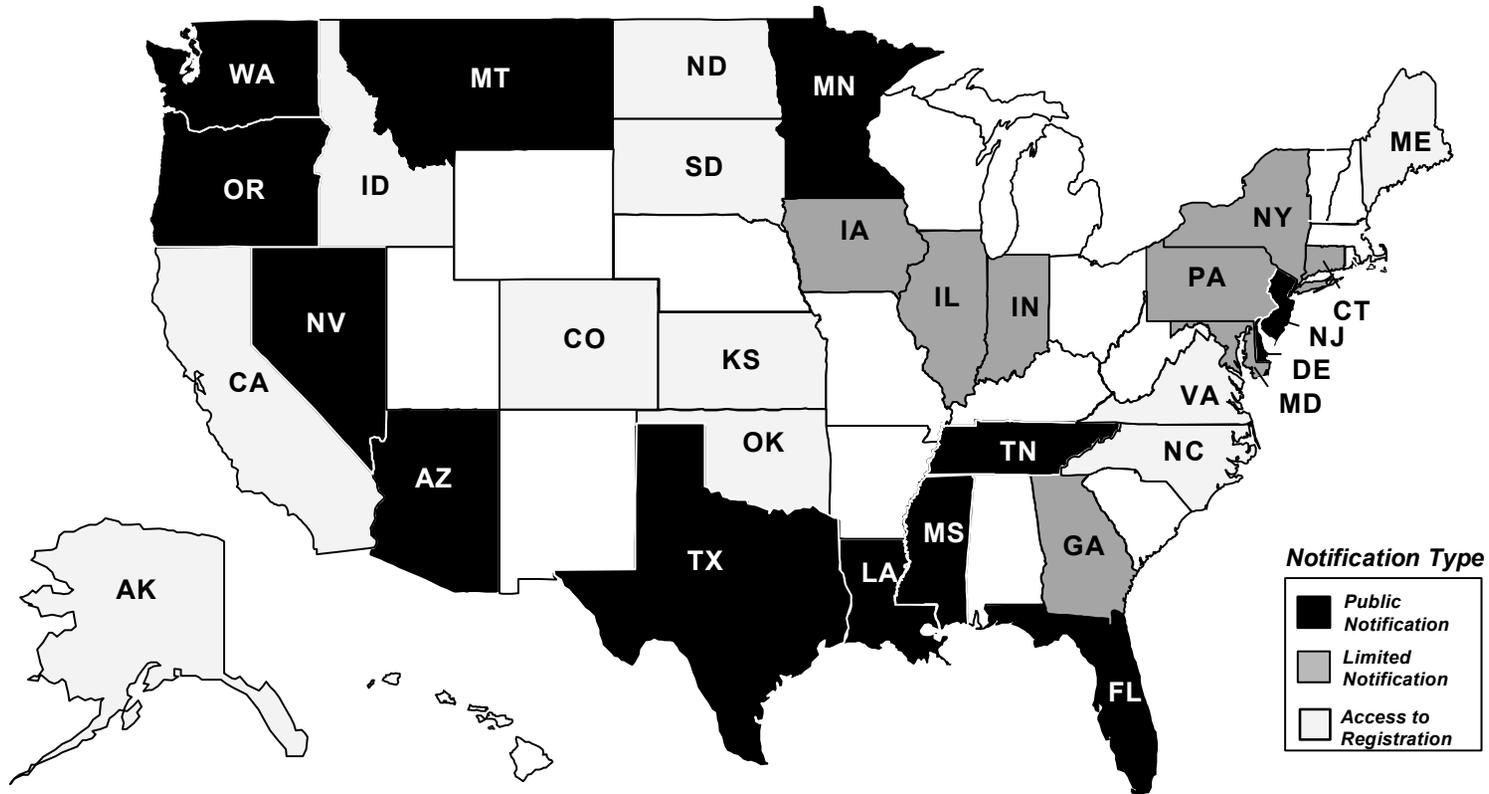
Community notification has been subject to challenges on constitutional grounds, most frequently based on the argument that notification represents additional punishment. Injunctions, or temporary restraining orders, are in place in *Alaska*, *New Jersey*, and *New York* and are under appeal. In *Washington State*, an injunction is in effect for specific individuals and is also being appealed.

The analysis of state statutes reveals the following:

- Generally, notification is reserved for those offenders *assessed as high risk* or those *convicted of offenses against children*.

- *Approaches and methods* for notification *vary*, with typical methods being press releases, flyers, ads in newspapers, and direct mailings.
- The notification *typically includes*, name, description or photo, address or approximate address, description of crime, and age of the victim.
- Some states use *specific risk assessment instruments* to determine an offender's risk of re-offending, and whether an offender should be subject to notification.
- State organizations often develop *rules and procedures* for carrying out community notification, with local organizations generally responsible for carrying out the actual notification.
- States that maintain registries locate them with a *state agency*. Typically, citizens have access, however a few states only allow access to organizations dealing with children.

32 States Have Sex Offender Community Notification Laws or Allow Access to Sex Offender Registration Information



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The following states do not have sex offender community notification laws and do not allow access to registration records: AL, AR, HI, KY, MA, MI, MO, NE, NH, NM, OH, RI, SC, UT, VT, WI, WV, WY

BACKGROUND

The term **community notification** refers to the distribution of information regarding released sex offenders to citizens and community organizations. In some states, citizens are notified about the release of all sex offenders from incarceration. In other states, community notification is authorized only when it is deemed necessary to protect the public from a specific offender being released from incarceration. In these instances, the offender may be classified as a habitual or predatory sex offender, and someone who has shown little ability to reform.

As part of federal legislation, title XVII of the Violent Crime Control and Law Enforcement Act of 1994 requires states to create registries of offenders convicted of crimes against children or sexually violent offenses. This Act also encourages states to authorize the release of relevant registration information to the public, when necessary for the public's protection. States that do not comply with this Act's provisions can be penalized by ten percent of funds normally received under section 506 of the Omnibus Crime Control and Safe Streets Act of 1968.

Sex offender registration laws have existed for several years; *California* has the nation's oldest law, enacted in 1944. Community notification laws, however, were initiated in the 1990s. The first community notification law was a provision of *Washington State's Community Protection Act* of 1990. *Washington's* community notification law authorizes local law enforcement agencies to disseminate information to the public regarding convicted sex offenders who reside in the community. Many states have followed *Washington's* lead by enacting community notification laws; some laws are modeled after *Washington's* approach and some take new approaches.

ORGANIZATION

This report provides a detailed analysis of state statutes covering community notification.¹ Thirty-two states are included in this report; statutes vary in form and function. For this reason, we have organized the analyses into three categories, based on form of community notification.

1. **Broad community notification.** This category includes states which authorize the *broad release of information* regarding released sex offenders to the public.

¹ Information was collected from February to April 1996, from states known to have sex offender community notification laws. Information was collected through telephone interviews, fax transmissions, and mailings. Informants were administrators, legislative research staff, legal counsel, or law enforcement officials, as appropriate.

Thirteen states provide this type of notification.² The process for determining which offenders should be subject to notification differs from state to state.

2. **Notification to organizations and individuals at risk.** This version of notification law is more limited, with *release* of information based on the *need to protect an individual or vulnerable organizations* from a specific sex offender.

An additional eight states provide this type of notification.³ Organizations typically notified are: child care facilities, religious organizations, public and private schools, and other entities that deal with children. Individuals at risk are generally determined by local law enforcement officials.

3. **Access to registration information.** States in this category allow *access*, by citizens or community organizations, to sex offender information through their county sheriff or local police department.

Eleven states allow some access to sex offender registration information.⁴ In most states, local law enforcement officials maintain a registry of sex offenders residing within their jurisdiction. Some are open to public inspection, others are open only to citizens at risk from a specific offender, and still others are open only to community organizations such as schools, licensed child care facilities, and religious organizations.

States That Issue Broad Community Notification

Of the thirteen states that issue broad community notification, four issue notifications for all sex offenders convicted of specific offenses: *Arizona*, *Delaware*, *Louisiana*, and *Texas*. *Arizona* authorizes mandatory community notification for all offenders convicted of sexual conduct with a minor under the age of 15, or sexual assault with a deadly weapon. *Delaware* issues community notification for all child sex offenders. *Louisiana* and *Texas* issue community notification for all registered sex offenders.

The remaining nine states⁵ issue notifications regarding released sex offenders determined to pose a threat. These states have varying approaches for determining threat. In *Florida* and *Montana*, the circuit or district court determines which offenders are subject to community notification.

Washington's law authorizes local law enforcement officials to distribute information to the public about dangerous sex offenders. The state leaves decision-making on notification, including how to assess risk and who to notify, in the discretion of the public agency, typically law enforcement. Most law enforcement jurisdictions in the state follow guidelines for notification based on the offender's risk to re-offend.⁶ These guidelines establish three levels of notification:

² Arizona, Delaware, Florida, Louisiana, Minnesota, Mississippi, Montana, Nevada, New Jersey, Oregon, Tennessee, Texas, and Washington.

³ Connecticut, Georgia, Illinois, Indiana, Iowa, Maryland, New York, and Pennsylvania.

⁴ Alaska, California, Colorado, Idaho, Kansas, Maine, North Carolina, North Dakota, Oklahoma, South Dakota, and Virginia.

⁵ Florida, Minnesota, Mississippi, Montana, Nevada, New Jersey, Oregon, Tennessee, and Washington.

⁶ Guidelines created by the Washington State's Law Enforcement Association.

Level I:

Low Risk to re-offend, information may be shared with other law enforcement agencies.

Level II:

Moderate Risk to re-offend, includes activities above, but in addition, schools, neighbors and community groups may be notified of an offender's release.

Level III:

High Risk to re-offend, in addition to the actions above, press releases and flyers may be issued.

Several states follow Washington's three-tiered approach. *Nevada*, *New Jersey*, and *Minnesota* (*Arizona* has legislation pending) are examples of this approach.

States That Issue Notification to Organizations and Individuals at Risk

These states issue notifications to individuals who may encounter the offender, and/or to organizations dealing with children. *Connecticut* and *Illinois* release information when it is deemed necessary to protect a person from a specific offender. Local law enforcement agencies decide when the release of information is necessary. The *Illinois* Department of State Police, or local law enforcement agencies, also release information to schools and child care facilities.

New York releases information dependent upon an offender's level of risk. A three-tier risk assessment instrument (similar to *Washington's*) is used to determine the notification process, and information on offenders assessed as Level II and III may be released.

Georgia, *Indiana*, *Maryland*, and *Pennsylvania* issue notifications to organizations dealing with children. *Indiana* notifies all school corporations, all nonpublic schools, state agencies that license individuals working with children, state personnel department, and licensed child care facilities. In *Maryland*, local law enforcement may notify community and religious organizations, and others that work with children, of a registration statement, if necessary for public protection.

States That Allow Access to Registration Information

Nine states allow the public or members of community organizations to view sex offender registration information.⁷ These states allow this type of access through law enforcement offices. *California* maintains a "900" phone line, which citizens may call to inquire whether a specific individual is a registered sex offender (*New York* has implemented a similar system). *Colorado* and *North Dakota* release registration information when deemed necessary for public protection and requester demonstrates a need to know.

Two states, *Oklahoma* and *Virginia*, limit access exclusively to schools and agencies dealing with children.

⁷ Alaska, California, Colorado, Idaho, Kansas, Maine, North Carolina, North Dakota, and South Dakota.

LITIGATION

Challenges to community notification laws have occurred in several states. These challenges are typically based on the argument that notification is punitive in character, and these statutes violate the ex post facto clause in the constitution.

At the time of this report, challenges were under court consideration in *Alaska*, *New Jersey*, and *New York*. In *Alaska*, the challenge concerns applicability of the statute for offenders who committed offenses prior to the statute's effective date.⁸ In July 1995, the *New Jersey* Supreme Court upheld that state's notification statute, saying it was constitutional as long as sex offenders facing notification had a chance to question it before a judge.⁹ Currently, a challenge to *New Jersey's* statute has resulted in an injunction, barring notification.

In *Washington State*, a 1994 Supreme Court ruling upheld the constitutionality of the sex offender registration statute and set the following parameters for notification:

- **Who should be the subject of notification?**

A disclosing agency or official:

*"must have some evidence of an offender's future dangerousness, likelihood of re-offense, or threat to the community, to justify disclosure to the public in a given case. This statutory limit ensures that disclosure occurs to prevent future harm, not to punish past offenses."*¹⁰

- **What should be disclosed to the community?**

In determining what information to disclose, the supreme court set the standard as "relevant and necessary."

*"This standard imposes an obligation to release registrant information reasonably necessary to counteract the danger created by the particular offender. An agency must disclose only that information relevant to and necessary for counteracting the offender's dangerousness."*¹¹

- **Who in the community should be notified?**

The focus of notification must "rationally [relate] to the furtherance" of the goals of public safety and the effective operation of government.¹²

"Accordingly, the geographic scope of dissemination must relate to the threat posed by the registered offender. Depending on the particular

⁸ Nitz v. Otte; Case No. A95-486 CI; United States District Court, District of Alaska.

⁹ Ralph Siegel, "Judge's ruling halts sex-offender notification," *The Seattle Times*, March 15, 1996.

¹⁰ State v. Ward, 123 Wn.2d 488, 503 (1994); see also State v. Taylor, 67 Wn. App.350 (1992) and In re Estavillo, 69 Wn. App 401, review denied, 122 Wn.2d 1003 (1993).

¹¹ Ward, 123 Wn.2d at 503.

¹² Laws of 1990, Chap. 3, Sec. 116.

*methods of an offender, an agency might decide to limit disclosure only to the surrounding neighborhood, or to schools and day care centers, or, in cases of immediate or imminent risk of harm, the public at large. The scope of disclosure must relate to the scope of danger.*¹³

Currently, U.S. District Courts are considering injunctions in *Washington* cases disallowing notification on specific individuals.¹⁴ Again, these challenges are based on the notion of additional punishment and argue that the requirement of notification should not apply to offenders convicted before the law was enacted.

TABLE OVERVIEW

This report contains four tables, each containing information regarding state statutes. Tables 1a and 1b contain information on the 21 states that authorize community notification. Tables 2a and 2b contain information on the 11 states that allow access to sex offender registration information. Each table contains key elements of state laws relating to community notification.

The tables are organized using the categories that are described below. An overview of these categories is provided.

Population Subject to Notification

Many states conduct risk assessment of the likelihood to re-offend as a basis for notification. Other states simply authorize community notification for a category of sex offenders, such as all individuals who commit a certain type of offense or whose victim is under a certain age. Still others allow law enforcement officials to use their discretion in determining who should be subject to notification.

Because notification laws concern offenders who are typically being released from confinement, the question of retroactive application of the law has been an issue in many states. In most states, the population subject to notification are those convicted *after* the law's effective date. Some states apply their laws retroactively to all appropriate offenders, regardless of adjudication date. The retroactive application in *New York*, *New Jersey*, and *Alaska* has resulted in legal challenges.

In some states, juveniles are also subject to community notification. *Minnesota* and *New Jersey* statutes apply to individuals adjudicated delinquent. *Washington's* statute applies to adult and juvenile offenders. *Illinois's* statute applies to juveniles convicted of child sexual offenses.

Notification Process

¹³ Ward, 123 Wn.2d at 503-04.

¹⁴ Robin Stanton, "Sexual offender wins halt to alert," *The Herald*, Everett, WA, March 29, 1996.

Many approaches are taken to notification. In most states, local law enforcement officials notify the appropriate organizations and individuals. In *Louisiana*, the offender is required to mail the notification to neighbors and to the superintendent of the school district in which the offender intends to reside, as well as place an ad in a newspaper.

Methods of notification vary from state to state. Typical methods include: press release, flyers distributed throughout neighborhoods, ads in newspapers, and direct mailings to the offender's neighbors.

Information Included

The information released to the public usually includes the offender's name, description or photo, address or approximate address, crime of conviction or description of crime, and age of the victim. Many statutes simply state that agencies are authorized to release relevant and necessary information regarding specific sex offenders. Some statutes have provisions allowing a community guidelines committee, or similar party, to promulgate rules regarding the release of information.

Levels of Risk

Assessment instruments are used in some states to systematically categorize an offender's level of risk to re-offend. These instruments consist of scales which assign point values to various behaviors and past offenses. Offenders scoring a certain point total are subject to community notification. In other states, convictions for specific sexual offenses automatically qualify an offender for notification and, the age of the victim is an automatic qualifier, in still other states.

When Risk is Assessed

Risk is typically assessed either upon conviction in court, or upon release from incarceration.

State and Local Role

The roles of state and local governments vary by jurisdiction. State organizations involved in community notification are often the Department of Corrections, Board of Probation and Parole, Department of Public Safety, and specific Community Notification Guidelines Committees designed solely for the purpose of community notification. Often, the state role consists of maintaining sex offender information in a central registry and disseminating that information to local law enforcement. State organizations often develop rules and procedures for community notification.

Local organizations consist of county sheriffs, police departments, and county courts. These organizations are generally responsible for notifying the public and organizations at risk. In many states, the sex offender registry is available to the public at each county sheriff's office.

The tables for the 11 states allowing access include the following additional categories:

Offenders Subject to Registration

States that allow access to registration information have statutes that require registration for offenders convicted of specific offenses. These offenders become subject to registration upon conviction of a listed offense. In some of these states, juveniles are also required to register.

Registry Type and Information Included

States that maintain registries of sex offenders generally compile information from each county into a central registry. Many other states maintain registration information at a local level, with the county sheriff or local police department. Generally, all information listed in a sex offender registration statement is included in the registry. However, photographs and exact street addresses may be withheld.

Who Has Access

Some states allow any citizen to view sex offender registries, while others only allow access to organizations dealing with children. States may require the citizen or organization seeking information to provide the name or description of the individual for whom information is sought. If a state's sex offender registry is centrally located, an individual must often request information in writing and pay a fee to receive the information.

CONCLUSION

Currently, 32 states have some form of legislation, either authorizing community notification for released sex offenders, or allowing access to sex offender registration information. Many states passed this legislation because of the Violent Crime Control and Law Enforcement Act of 1994. This act requires states to create registries of offenders convicted of crimes against children or sexually violent offenses by 1997, and allows officials to notify the community when a violent offender relocates there.

TABLE 1a
States With Community Notification Laws

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Arizona	Offenders convicted of specific, listed offenses on or after June 1, 1996.	Notification given to schools, neighbors and community groups of an offender's release into the community. Methods of notification to be determined by state Community Notification Guidelines Committee.	To be established by the guidelines committee.	<u>Mandatory</u> community notification if an offender is convicted of: sexual conduct with a minor under 15; sexual assault involving the use of a deadly weapon, dangerous instrument, or the intentional infliction of serious injury; or continuous sexual abuse of a child. <u>Discretionary</u> notification if an offender is convicted of: a second or subsequent sexual assault of spouse; sexual abuse of a victim under 15; molestation of a child; commercial sexual exploitation of a minor; or sexual exploitation of a minor.	Upon conviction.
Connecticut	Sex offenders required to register.	Limited public disclosure, when it is deemed necessary to protect a person from a specific sex offender required to register.	Registration information includes name, address, social security number, inmate number, crime of conviction, date and place of conviction, probation termination date, and a complete description of the offender including photograph and fingerprints.	Only those sex offenders who are deemed a threat to public safety by local law enforcement agencies are considered a risk.	Dependent upon individual at risk, but after notification is given by State Board of Parole to local law enforcement.
Delaware	Any offender convicted, before or after statute's effective date, of sexual offense, or violent felony, against a victim under the age of 16.	Community notification to the general public of released sex offender via newspaper publication. Employer or potential employer in a sensitive area dealing with children may inquire as to whether such person's name is on the registration list.	Notice includes: name, release address, offenses for which convicted and statement that victim was a child.	No levels of risk; notification in all cases of sexual offense, or violent felony, against a victim under the age of 16.	Upon conviction.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Florida	Repeat sex offenders and sex offenders who use physical violence. Applies only to offenders convicted after October 1, 1995.	Community notification of release of sex offender via newspaper publication if hearing determines sexual predator poses a threat to society.	Notice includes: name, description (including a photograph), offense and circumstances surrounding conviction, and the ages of the sexual predator's victim(s).	The court shall consider all relevant evidence when assessing the offender's risk, including, but not limited to: the relationship between the sexual predator and the victim; whether the offense involved the use of a weapon or violence, or the threat of violence; prior sexual offenses or violent offenses; evidence that indicates a risk of recidivism; response to treatment; and recent behavior. If the court finds that the sexual predator poses a threat to the public and that notice to the community is necessary, then the court shall submit its finding to the county sheriff.	Following the registration of a sexual predator with the Department of Law Enforcement.
Georgia	Child sex offenders.	Offenders convicted of a listed sex offense to notify superintendent of public school district and sheriff in area of residence as condition of parole. Sheriff to maintain registry of all registered sex offenders in county for inspection by the public.	Notice to include offender's name, address, crime for which convicted, and parole date. Registry includes offender's name and address only.	No levels of risk; statute applies to all child sex offenders.	Upon offense of conviction.
Illinois	Child sex offenders, adult and juvenile, with victims under the age of 18. Applies to offenders convicted before and after statute's effective date (June 1, 1996).	Notification of registered child sex offenders to: The Department of Children and Family Services; school boards of public school districts, the principal of each nonpublic school, and child care facilities located in the county or police district where the offender resides; and, at the department or agency's discretion, any person likely to encounter a child sex offender.	Offender's name, address, offense for which convicted.	No levels of risk; statute applies to all child sex offenders with victims under 18.	Upon receipt of registration information.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Indiana	Sex offenders, convicted after June 30, 1994, with victims under 18.	Statutory notification to all public and nonpublic schools, state agencies licensing or hiring individuals dealing with children, (state personnel department screens individuals who may be hired to work with children) and registered child care facilities.	Local law enforcement registration information includes: name, alias(es), date of birth, sex, race, height, weight, eye color, social security number, driver's license number, home address, identification of offense(s), date of conviction, and sentence imposed. The statewide Sex Offender Registry contains the same information excluding home address.	No levels of risk; statute applies to all convicted sex offenders with victims under 18.	Upon conviction.
Iowa	Sex offenders required to register for a criminal offense against a minor, sexual exploitation, or a sexually violent offense.	Registration information disseminated to criminal justice agencies, government agencies for background checks, the public, with case-specific authorization, when deemed necessary to protect the public, and an individual if specific identifying information is provided about both the person requesting the information and the registrant, along with the reason for requesting the information.	Registration forms include the registrant's name, social security number, current address, and if applicable, the registrant's phone number. Exact information released to the public not specified.	No levels of risk, statute applies to offender's convicted of the following offenses: criminal offense against a minor, sexual exploitation, or a sexually violent offense.	Upon conviction.
Louisiana	Applies to all sex offenders convicted after August 21, 1992, the statute's effective date, and incarcerated sex offenders convicted before effective date, who are eligible for parole after statute's effective date. Additional notification required for offenders with victims under the age of 18.	Mandatory community notification for all convicted sex offenders. Sex offenders required to give notice by mail to at least one person in every residence and business within a one-mile radius in rural area and three square blocks in urban area of offender's residence, and to superintendent of school district who shall notify the principal of relevant schools. Additional community notification via newspaper publication. If the victim is under age 18, notice shall also be given to park, playground and recreational area superintendents within the designated area where the defendant will reside.	Notice to include offender's crime of conviction, name, and address. When victim is under 18, notice to superintendent of school district and superintendent of park, playground, and recreational districts shall include two clear, recent photographs. Also, newspaper notification of an offender whose victim is under 18 to include a photograph.	No levels of risk; statute applies to all convicted sex offenders.	Upon conviction.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Maryland	Child sexual offenders, convicted after October 1, 1995.	The supervision agency, in some instances the courts, must notify the designated law enforcement agency of the child sex offender. The designated law enforcement agency must notify the county superintendent of schools, who must, in turn, notify the school principals. The designated law enforcement agency must also notify the victim, the parents, any witness and any other person the state's attorney may designate in writing. In addition, the designated law enforcement agency may notify local community organizations, religious organizations, and other organizations which relate to children and youth.	Registration information includes: name, address, place of employment; description of the crime, date convicted, jurisdiction of conviction, alias(es) used, social security number, photograph, and fingerprints.	No levels of risk; statute applies to all persons convicted of an offense involving child sexual abuse, and certain specific offenses involving a victim under 15, occurring after October 1, 1995.	Within 5 working days after receiving a registration statement.
Minnesota	Applies to sex offenders who are released, sentenced, or adjudicated delinquent on or after January 1, 1997.	Notification process is dependent upon the offender's assessed level of risk to re-offend: <u>low risk</u> , information maintained within law enforcement agencies and may be disclosed to victims of or witnesses to the offense committed by the offender; <u>moderate risk</u> , law enforcement agencies may disclose information to agencies and groups that the offender is likely to encounter (public and private schools, day care facilities, and other agencies or groups dealing with children or women); <u>high risk</u> , law enforcement agencies also may disclose information to other members of the community whom the offender is likely to encounter.	To be established in the model policy developed by the Peace Officers Standards and Training (POST) Board.	End-of-confinement review committee shall conduct risk assessment and assign offenders to one of three levels: <u>Level I</u> , low risk; <u>Level II</u> , moderate risk; <u>Level III</u> , high risk. Factors relevant to the offender's risk of recidivism include, but are not limited to: the seriousness of the offense should the offender re-offend; the offender's prior offense history; the offender's characteristics (response to prior treatment efforts and history of substance abuse); the availability of community support to the offender (supervision, treatment availability, family and social relationships, lack of education or employment stability); and whether the offender demonstrates a physical condition that minimizes the risk of re-offense.	At least 60 days before released from confinement or accepted for supervision.
Mississippi	Sex offenders required to register. Applies retroactively to offenders convicted before statute's effective date.	Limited public notification dependent upon need to protect. Discretionary case specific authorization to release information to the public.	Relevant and necessary information may be released at discretion of county sheriff.	Guidelines for risk assessment not set. Attorney General to issue guidelines.	Upon receipt of registration information.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Montana	Sex offenders required to register.	Limited notification dependent upon need to protect; a court order allowing the release of registration information must first be obtained. If court order is obtained, possible method of notification may be in the form of a press release.	County sheriff may only release the name of a registered sex offender. If court allows release of information for public protection, the information may include a photograph, approximate address, and other relevant information.	Risk determined by ruling in district court.	Prior to release, upon ruling in district court.
Nevada	All offenders convicted after October 1, 1995, of a sexual offense are subject to risk assessment; notification dependent upon level of risk.	Notification process is dependent upon the assessed level of risk: <u>low risk</u> , law enforcement agencies likely to encounter the sex offender must be notified; <u>moderate risk</u> , schools, religious and youth organizations must also be notified; <u>high risk</u> , the public must be notified through means designed to reach members of the public likely to encounter the offender.	Dependent upon level of risk assessed, to be determined by Attorney General and Advisory Council for Community Notification.	The Attorney General and advisory council must provide for 3 levels of notification depending upon the risk of recidivism: <u>Level I</u> , low risk; <u>Level II</u> , moderate risk; <u>Level III</u> , high risk. Factors relevant to the sex offender's risk of recidivism include, but are not limited to: conditions of release that minimize the risk of recidivism, including probation or parole, counseling, therapy or treatment; advanced age or debilitating illness; and any criminal history indicative of a high risk of recidivism, including repetitive and compulsive behavior, offenses against children, offenses involving the use of weapons, violence or infliction of serious bodily injury, the number, date and nature of prior offenses, behavior while confined, and psychological profiles.	Upon parole.
New Jersey	All sex offenders, released or adjudicated delinquent after October 31, 1994, required to register are subject to risk assessment; notification dependent upon level of risk.	Notification process is dependent upon the degree of danger an offender presents to the community: <u>low risk</u> , notice provided only to victim and law enforcement agencies likely to encounter the offender; <u>moderate risk</u> , notice given to community organizations including schools, religious and youth organizations; <u>high risk</u> , subject to public notification, generally to those community members who are likely to encounter the offender. Only high risk offender notices are open to general public.	In all three levels, the information will include name, description, photograph, address, place of employment or schooling, vehicle description and its license plate number.	Guidelines for community notification established in a 3 level system dependent upon the risk of recidivism: <u>Level I</u> , low risk; <u>Level II</u> , moderate risk; <u>Level III</u> , high risk. Factors relevant to risk of re-offense shall include, but not be limited to, the following: (1) Conditions that minimize risk of re-offense, including whether the offender is under supervision of probation or parole; receiving counseling, therapy or treatment; or residing in a home situation that provides guidance and supervision; (2) Physical conditions that minimize risk of re-offense, including advanced age or debilitating illness; (3) Criminal history factors indicative of high risk of re-offense (outlined in legislation).	Relevant information will be provided to the prosecutor's office at least 90 days prior to the inmate's release. Notification must be implemented within 45 days after receipt of the information.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
New York	All sex offenders subject to registration are subject to risk assessment; amount of notification information dependent upon level of risk assessed.	Notification process is dependent upon the degree of danger an offender presents to the community: <u>low risk</u> , notice to law enforcement; <u>moderate risk</u> , law enforcement may disseminate relevant information to any entity at risk, that entity may disclose information at their discretion; <u>high risk</u> offenders designated as sexually violent predators, registration information available to public upon request in sexually violent predator sub-directory.	Information disclosed dependent upon offender's level of risk. <u>Level I</u> includes only the name of the offender. <u>Level II</u> includes offender's approximate address, photograph, crime of conviction, modus of operation, type of victim targeted and the description of special conditions imposed. <u>Level III</u> also includes offender's exact address. Sub-directory of sexually violent predators also contains photographs of offenders.	The Board assesses the presumptive level of risk through an objective assessment instrument: <u>Level I</u> , low risk; <u>Level II</u> , moderate risk; <u>Level III</u> , high risk. The instrument measures current offense, criminal history, post offense behavior, and planned release environment. It assigns numerical values to each risk factor -- e.g., 20 points if there were two victims; 30 points if there were three or more victims. The presumptive risk level is calculated by adding the total points in each risk factor. If the score is 70 points or less, the offender is presumptively level I; if more than 70 but less than 110, level II; if 110 or more level III.	60 days prior to discharge, parole or release.
Oregon	Offenders, convicted before and after statute's effective date (September 10, 1993), classified as predatory sex offenders.	Notification process decided by agency supervising sex offender. If offender classified as a predatory sex offender, the agency may release information to the public.	Notice may include: name, address, physical description, type of vehicle driven, any conditions of probation, parole or conditions of release, description of primary and secondary targets and method of offense, current photograph, and probation or parole officer's name or phone number.	The sex offender risk assessment scale approved by the State Department of Corrections may be used to determine whether a person should be classified as a predatory sex offender. The risk assessment scale is composed of two scales: A negative scale, which increases risk; and a positive scale, which reduces risk. The negative scale consists of 24 factors, each with a negative value -- e.g., -10 points for multiple victims, -10 points for use of weapons. The positive scale consists of 10 factors, each with a positive value -- e.g., +10 point for successful completion of an approved treatment program. From the point totals of the two scales a level of risk is assessed to the offender: A <u>high level</u> of risk is assessed for a score of -210 to -50; a <u>medium level</u> for a score of -45 to 0; and a <u>low level</u> of risk for a score of +5 to +85. High risk offenders are subject to community notification.	Upon pending release.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Pennsylvania	Sex offenders assessed as sexually violent predators. Statute applies to offenders convicted after statute's effective date (October 24, 1995), and offenders convicted before the statute's effective date that remain under jurisdiction of the Board of Probation and Parole or Department of Corrections.	Community notification regarding sexually violent predators issued as a means of assuring public protection. Sexually violent predator information available to the public upon request.	Notice includes name, address, offense for which convicted, and a statement by the court that the offender is a sexually violent predator.	Risk assessment determines if the sex offender is a sexually violent predator and includes factors such as: age of the offender; prior criminal record; age of the victim; whether there were multiple victims; use of illegal drugs; completion of sentence and participation in programs for sex offenders; mental illness or mental disability; demonstrated pattern of abuse in sexual contact with victim; unusual cruelty displayed; and any behavioral characteristics that contribute to offender's conduct.	No later than 30 days of conviction.
Tennessee	All sex offenders required to register. Statute applies, retroactively, to all convicted offenders.	Notification based on need to protect the public from a specific sex offender.	County sheriff to release relevant and necessary information for a specific sex offender. Exact information to be released determined by sheriff.	Sex offender's level of risk determined by sheriff.	Upon notice of a registration statement.
Texas	Registered offenders who are dispositioned on or after September 1, 1995 for any offense where the victim is a child younger than the age of 17.	Community notification via newspaper publication and notice to superintendent of public schools by mail. Registration information available to the public.	Newspaper publication to include offender's age and gender; a brief description of the offense for which subject to registration; and the municipality, street name, and zip code where the offender intends to reside. Registration information contained in central database is public information, with the exception of offender's photo, social security number, driver's license number, street address and phone number.	No levels of risk; notification in all cases of sex offense against a victim under 17.	Upon conviction occurring on or after September 1, 1995.

State	Population Subject to Notification	Notification Process	Information Included	Levels of Risk	When Risk is Assessed
Washington	Adult and juvenile sex offenders, regardless of conviction date, are subject to risk assessment; notification dependent upon level of risk.	Recommended guidelines for notification are dependent upon the level of risk an offender poses to public safety: <u>low risk</u> (level I), notice to law enforcement agencies; <u>moderate risk</u> (level II), schools and neighborhood groups may also be notified; <u>high risk</u> (level III), the public may be notified through press release.	Most flyers and press releases describe the offender's history and pattern of obtaining access to victims. Public agencies are authorized to release relevant and necessary information regarding sex offenders to the public when release of the information is necessary for public protection.	The End of Sentence Review Committee assesses the offender's future dangerousness, likelihood of re-offending, and threat to the community. Information is sent to local law enforcement agencies which may consider further risk assessment to decide if community notification is appropriate. Local law enforcement agencies then apply the assessment to guidelines to decide upon level of notification: <u>level I</u> , <u>level II</u> , or <u>level III</u> .	Eight months prior to release.

TABLE 1b
States With Community Notification Laws

State	State Role	Local Role	Comments	Contact Person
Arizona	A committee shall adopt statewide guidelines for local law enforcement agencies concerning contents and guidelines for community notification. The committee is composed of: the attorney general, the chairman of the senate judiciary committee, the chairman of the house of representatives judiciary committee, two sheriffs, and two police chiefs.	Local law enforcement agencies notify the community of an offender's release. Notification is to be made within 45 days of receiving notice from the agency that the offender is being released.	Statute effective 6/1/96.	Nancy Hughes Bureau Administrator in the Community Supervision section of Community Corrections Department of Corrections (602) 255-4240
Connecticut	State Board of Parole notifies local law enforcement agencies and victims listed with board, of sex offender's release into jurisdiction.	The chief of police or resident state trooper may release registration information to governmental agencies conducting background checks or to a specific individual if disclosure determined to be necessary to protect that individual from a sex offender required to register.	Exact method of notification not set. Discretion lies with local law enforcement agencies.	Nick Gentile Board of Parole (860) 566-3710
Delaware	Department of Corrections to provide notification prior to release from confinement. Notice of release to be published at least twice in newspaper of general circulation. Newspaper circulation requirements include an average daily statewide circulation of 15,000 and 5,000 in released person's county of residence.	Sentencing court to designate for Department of Corrections that notice is required. Notice must be given 30 days prior to release; if released directly on probation, notice within 10 days of sentencing.	Costs of notice to be paid by the offender as a condition of release.	Vince Bianco Department of Corrections (302) 856-5243 Howard R. Young Department of Corrections (302) 739-5601
Florida	Following the registration of a sexual predator with the Department of Law Enforcement, the state attorney files a petition with the circuit court for a hearing to determine whether the person poses a threat to the public.	The sheriff of the county where the sexual predator resides shall notify the public. The notice must be published once a week for 2 consecutive weeks in a newspaper of general circulation published in the county where the person resides.	At the court hearing, the sexual predator has the right to be present, to present testimony, to call and cross-examine witnesses, and to be represented by counsel.	The CJIS Help Desk User Services Bureau Department of Law Enforcement (904) 488-1624
Georgia	Registration requirement ordered as a condition of parole.	Sheriff of each county maintains a registry of all registered sex offenders, which public may examine.	Method of direct notice to superintendent and sheriff not specified.	Scheree Lipscomb Board of Pardons and Paroles (404) 651-5897

State	State Role	Local Role	Comments	Contact Person
Illinois	The Department of State Police maintains a Statewide Child Sex Offender Database to be distributed to child care facilities and schools eligible to receive notice, from law enforcement agencies having jurisdiction.	The law enforcement agency having jurisdiction shall disclose information to: The Department of Children and Family Services; school boards of public school districts, the principal of each nonpublic school, and child care facilities located in the county or police district where the child sex offender resides; and, in the department or agency's discretion, any person likely to encounter a child sex offender. Every municipal police department or sheriff shall make available at its headquarters the information on all child sex offenders registered to the public upon request in writing, in person, or by telephone.	This statute is effective 6/1/96.	Mike Welter, Carol Williams, Ben Cooper State Department of Police, Intelligence Bureau (217) 785-2316
Indiana	Criminal Justice Institute maintains a Sex Offender Registry available on computer disk. Paper copy of Registry distributed to schools, registered child care facilities, state licensing agencies, and other requesting entities that provide services to children.	Offender registration required with local law enforcement agencies in area where offender intends to reside.		Catherine O'Connor Criminal Justice Institute (317) 232-1233
Iowa	The Department of Public Safety determines who receives information regarding specific sex offenders. Department is responsible for maintaining a central registry of sex offenders. Registration information disseminated to criminal justice and government agencies for background checks. The Department or a criminal justice agency with case-specific authorization from the Department may release relevant information from the registry that is necessary to protect the public concerning a specific person who is required to register.	The sheriff of each county shall release information regarding a specific offender to the general public if the person requesting the information gives the person's name and address in writing, states the reason for requesting the information, and provides the sheriff with the name and address of the person about whom the information is sought.	The Department of Public Safety shall adopt procedures for determining when public release of information is appropriate.	Steve Conlon Division of Criminal Investigation (515) 281-5138
Louisiana	Upon release from incarceration, as condition of parole, the State Board of Parole requires the offender to give notice in any form which it deems appropriate. Sex offender disseminates information by mail and notice shall be published on two separate days within 30-day period in the official journal of the governing authority of the parish where the defendant plans to reside. The board may order any other form of notice which it deems appropriate, including but not limited to signs, handbills, bumper stickers, or clothing labeled to that effect. Notification shall occur within 30-days after conviction or release from confinement, whichever occurs later.	In cases where the defendant has been convicted of a sex offense and the sentencing court places the offender on probation, the court requires the offender to register and give notice in any form which it deems appropriate, consistent with relevant statutes. Methods of dissemination are the same as required by Board of Parole. The court and parole board have the discretion to add conditions in addition to those mandated by law.	Any person having the duty to register and give notice may petition the sentencing court to be relieved of that duty.	William T. "Bill" Price Department of Public Safety and Corrections, Division of Probation and Parole (504) 342-6609

State	State Role	Local Role	Comments	Contact Person
Maryland	The State Department of Public Safety and Correctional Services shall maintain a central registry of child sexual offenders. Information is forwarded to the department by local law enforcement agencies.	Designated law enforcement agencies shall establish procedures for carrying out the notification requirements. Designated law enforcement agency may notify community and religious organizations as well as any other organization that works with children or youth of a registration statement if it determines such notice to be necessary to protect the public interest. Designated law enforcement agency shall send written notice of the registration statement to the county superintendent in the county where the child sexual offender will reside. The county superintendent shall send written notice of the registration statement to the principals of the schools within the supervision of the superintendent. Upon written request, a designated law enforcement agency shall send a copy of a registration statement to the person who submitted the request. The request must contain the requester's name, address, and reason for the request.	The Department of Public Safety and Correctional Services shall conduct public education and awareness programs to inform the public of its ability to obtain information regarding child sexual offenders.	Audrey Brown Department of Public Safety and Correction, Division of Correction (410) 764-4188 Earl L. Gillespie Department of Public Safety and Correction and CJIS (410) 764-5665
Minnesota	End-of-confinement review committees shall be established, by the Commissioner of Corrections, at each state correctional and treatment facility where sex offenders are confined. The committees shall assess the public risk posed by sex offenders on a case-by-case basis. Each committee shall consist of the following members appointed by the Commissioner: the chief executive officer or head of the correctional or treatment facility where the offender is currently confined, or that person's designee; a law enforcement officer; a treatment professional who is trained in the assessment of sex offenders; a caseworker experienced in supervising sex offenders; and a representative from a victim advocacy organization.	The Peace Officers Standards and Training (POST) Board shall develop a model policy for law enforcement agencies to follow when they disclose information on sex offenders to the public. The policy shall address and recommend the following matters: contents and form of community notification documents; methods of distributing community notification documents; methods of providing follow-up notifications to community residents at specified intervals; methods of educating community residents at public meetings on how they can use the information to enhance their safety; procedures for educating community members regarding the right of sex offenders not to be harassed; and procedures for educating sex offenders on the nature and scope of the notification process.	An offender assigned to <u>Level II or III</u> has the right to seek administrative review of the committee's risk assessment determination. Statute effective January 1, 1997.	Special Agent Gary Dahl Bureau of Criminal Apprehension (612) 642-0610 (temporary contact person)

State	State Role	Local Role	Comments	Contact Person
Mississippi	State Department of Public Safety maintains registration information in central registry, which is forwarded by county sheriffs.	Sheriff of each county maintains registration information for that county and forwards information to Department of Public Safety. County sheriff to determine risk according to guidelines not yet set by attorney general. County sheriff authorized to release relevant and necessary information regarding sex offenders to the public when necessary for public protection.	Offenders required to register may petition the court of conviction for relief of that duty. Relief may be granted if the petitioner shows that future registration will not serve the purposes of the registration chapter.	Lt. Judy Tucker Criminal Investigation Bureau (601) 987-1592
Montana	Prior to release of sex offender, the State Department of Corrections and Human Services may petition the court for an order allowing the release of relevant and necessary registration information, regarding the offender, needed to protect the public. Department of Correction to notify community if court deems necessary.	The district court for the judicial district in which the prison is located which holds the offender or the judicial district where the offender intends to reside is petitioned for release of information. County sheriff may release the name of a sex offender only.	Montana has not issued community notification to the public regarding a specific offender.	Ted Clack Department of Corrections (406) 444-4907
Nevada	The State Attorney General together with an Advisory Council for Community Notification shall establish statewide guidelines and procedures for notification. The advisory council consists of : a) three members, of whom no more than two may be of the same political party, appointed by the Governor; and b) four members, of whom no more than two may be of the same political party, appointed by the legislative commission.	The relevant law enforcement agency shall disclose information regarding the sex offender to the appropriate parties, according to the level of risk assessed.	Statute effective 10/1/95, guidelines and procedures for community notification not yet set by Attorney General and Advisory Council.	Nancy Tiffany Department of Probation and Parole (702) 687-5040
New Jersey	The State Attorney General developed guidelines in consultation with the Notification Advisory Council, a 12-member body created by law: four appointed by the Governor; four appointed by the President of the Senate; and four appointed by the Speaker of the General Assembly.	The county prosecutors of the county where the person was convicted and where the registered person will reside, together with any law enforcement officials that either deems appropriate, shall assess the risk of re-offense by the registered person. The county prosecutor of the county in which the registered person will reside, after consultation with local law enforcement officials, shall determine the means of notification. Some methods of notification include community meetings, speeches in schools and religious congregations, and door-to-door visits in the community.	An injunction was issued on March 15, 1996, to halt the notification process. The Third Circuit Court of Appeals in Philadelphia is expected to issue a ruling on the constitutionality on the law soon.	Ann Stefane Office of Legislative Services, Law and Public Safety (609) 984-0231

State	State Role	Local Role	Comments	Contact Person
New York	Board of Examiners of Sex Offender's evaluation of offender's risk of re-offending given to sentencing court providing for one of 3 levels of notification. Division of Criminal Justice Services maintains sub-directory of sexually violent predators for law enforcement. Available for public inspection upon written request, which must include purpose for requesting information. The division also operates a "900" telephone line which the general public may call to inquire whether a named individual is listed. Caller must provide information concerning the registrant including name of potential registrant and exact street address, or birthdate, or social security number, or driver's license number. Additional information such as name, hair color, eye color, height, weight, distinctive markings, and ethnicity are helpful but not required.	Local law enforcement agencies may notify schools and other entities with vulnerable populations about a sex offender's presence if the offender poses a threat to public safety. The sub-directory of sexually violent predators is available at law enforcement agencies throughout the State.	Warning given through "900" telephone line that it is illegal to use information obtained to commit a crime against any person listed or to engage in illegal discrimination or harassment against such person. All community notification, including the "900" line and sub-directory of sexually violent predators, on hold due to a preliminary injunction.	Kelly Haskin-Tenenini Division of Criminal Justice Services (518) 457-3167
Oregon	The State Department of Corrections or the State Police, the agency supervising a predatory sex offender, is required to notify and has discretion to determine who should be notified, such as offender's family and/or spouse, residential neighbors, churches, parks, schools, convenience stores, businesses and any other place frequented by children or other potential victims. Methods of notification may include flyers and notices posted at offender's residence. Any information concerning a predatory sex offender may be made available to any person upon request.	If the agency supervising a predatory sex offender is a community corrections agency, they shall notify in the same manner as state.		James Rayon State Police (503) 378-3720
Pennsylvania	Assessment of a convicted sex offender is conducted by the Board of Probation and Parole, then given to the court of conviction. The court determines, based on assessment, whether the offender is a sexually violent predator.	The chief law enforcement officer of the police department of the municipality where a sexually violent predator lives is responsible for providing written notification to neighbors, the director of the county children and youth services, superintendent of each school district, the director of each licensed day care center, and the president of each college within the offender's residential vicinity. To neighbors, notice shall be provided within 72 hours after information of offender's release date is received by the chief law enforcement officer and 7 days to all other entities entitled to receive notification. Information on sexually violent predators available upon request to the general public.	Offender has the right to be heard and to call witnesses, and has the right to counsel during court proceedings. Offender also has the right to petition the court with original jurisdiction for reconsideration of the determination in 5 year intervals after release.	Major David Miller State Police (717) 783-1771

State	State Role	Local Role	Comments	Contact Person
Tennessee	State Bureau of Investigation maintains sex offender database and disseminates information to county sheriff.	County sheriff to determine if sex offender poses a threat to public safety. Notification to the public determined on a case-by-case basis. Procedures for public notification determined by county sheriff.	Details and guidelines for notification not yet determined.	David Jennings Legal Counsel, Bureau of Investigation (615) 741-0430
Texas	Department of Public Safety maintains a central database of registered sex offenders. Information contained in the database, that is considered public, may be released to any individual who requests such information in writing.	Local law enforcement provides community notification when an offender is released and when an offender changes address. Community notification published in English and Spanish in at least one newspaper of general circulation in the county in which the offender intends to reside. Local law enforcement shall also provide notice to the superintendent of public schools of the school district in which the offender intends to reside by mail to the district office. Members of the community may also obtain information on registered sex offenders from the local law enforcement by written request for a fee that is necessary to recover the cost of providing the requested information.	A person subject to registration may petition the district court for injunctive relief to restrain a local law enforcement authority from publishing notice in a newspaper, until a hearing is held. The court may grant relief warranted by the facts if it is determined that the information published in the newspaper would place the person's health and well being in immediate danger.	Paul Jordan Criminal Intelligence Service Department of Public Safety (512) 424-2200
Washington	A statewide End of Sentence Review Committee surveys the records of all sex offenders about to be released from state institutions and determines which offenders pose the greatest risk to the public. The Committee includes representatives from the Department of Corrections, and from the juvenile corrections and mental health divisions of the Department of Social and Health Services. The Washington Association of Sheriffs and Police Chiefs (WASPC) developed guidelines for notification to be used after the risk assessment has been conducted.	WASPC guidelines recommend that law enforcement agencies use its guidelines for notification. Local law enforcement agencies disseminate information. The most common form of high risk notifications are flyers and press releases. These can be mailed to neighbors, community agencies, schools, media, and other law enforcement agencies. Door-to-door visits and community meetings are also forms of notification.	Washington's community notification law was the first in the country.	Victoria Roberts or Maureen Ashley Department of Corrections (360) 753-6789

TABLE 2a

States That Allow Access to Registration Information

State	Offenders Subject to Registration	Registry Type	Information Included	Who Has Access
Alaska	Adult sex offenders, convicted before, after or on August 10, 1994 (the statute's effective date), who are physically present in the state must register.	Central registry is located in the Alaska Department of Public Safety, Division of Alaska State Troopers.	Public disclosure of offender's name, address, driver's license or ID number, photo, and place of employment, date of birth, all aliases or other names used, crime for which convicted, date of conviction, place and court of conviction, and length of sentence.	Law enforcement agencies and any person who submits a written request to the department's permits and licensing unit for the information (on a form supplied by the department) and pays a non-refundable fee of \$10.
California	Adult and juvenile sex offenders; offenders found to be sexually motivated (specific offenses covered in California Penal Code 290).	Registered sex offender information can be accessed through a "900" telephone line. A sub-directory of sexual habitual offenders is also maintained.	The "900" phone line information includes names of registrants categorized by community of residence and ZIP code, physical description and a description of the specific crime for which the registrant was required to register. Information in the sub-directory of sexual habitual offenders includes name, physical description, photograph, age, and distinctive markings. A description of specific crimes for which the registrant was required to register is also included in the sub-directory.	Public access through "900" phone line which the general public may call to inquire whether specific individual is listed as a registered sex offender with a minor victim. Caller must provide information concerning the registrant including exact street address and birth date along with additional information such as name, hair color, eye color, height, weight, distinctive markings, ethnicity, and social security number. Caller should have a reasonable suspicion that a child is at risk. Sub-directory of sexual habitual offenders is available to the general public, however, individual may be required to express articulable purpose in order to obtain access.
Colorado	Adult and juvenile sex offenders convicted on and after July 1, 1994 residing in the state.	Registration records kept with local law enforcement agencies. Central registry maintained of all sex offenders registered in state.	Basic identification information released regarding the registrant including a photograph if readily available, and a history of sex offense convictions.	Information regarding any person registered may be released to the public. Information may be released to anyone residing within the local law enforcement agency's jurisdiction, and anyone outside the jurisdiction upon request and demonstration of a need to know.

State	Offenders Subject to Registration	Registry Type	Information Included	Who Has Access
Idaho	Adult sex offenders and juveniles charged as adults, convicted, incarcerated, on probation or parole on or after statute's effective date (July 1, 1993), are required to register.	A central registry of sex offenders who are required to register is maintained.	Name, alias(es), offenses committed, place of commission, where found or pled guilty, and name at time of conviction.	Registration information available to public through central registry upon request. Requester must provide offender's name, date of birth and social security number.
Kansas	Any person convicted of a sexually violent crime.	Registration records are public records.	Name, date of birth, offense committed, date of conviction, city or county of conviction, a photograph, fingerprints, and social security number.	The general public may inspect registration records.
Maine	Offenders convicted, on or after June 30, 1992, of gross sexual assault, if the victim is under the age of 16.	Registration records maintained through State Bureau of Identification.	Name and address of registered sex offender available to the public. Adult conviction data available to public upon separate request and fee of \$7.00.	Registration information available to the general public.
North Carolina	Any individual convicted, in North Carolina or a state with similar laws, on or after January 1, 1996 or released from a penal institution on or after that date, of any sex offense; adult and juvenile sex offenders.	Registration database of all registered sex offenders residing in state. Individual registration records maintained at local level.	Name, the date of conviction, and the offenses for which registration is required. Upon request, the sheriff shall display any photograph provided of the named offender, but no copy may be made.	Sex offender registration information and registry is public record, open for public inspection. An individual may obtain registration information by providing the offender's name, sex, physical description, and any other known relevant information. Upon receipt of information from the requester, the sheriff shall verify to the requester, in writing, whether the individual has registered as a sex offender. A copy of the entire registry may be provided to any group, entity, organization or school working with children, the disabled or elderly upon written request and payment of a fee.

State	Offenders Subject to Registration	Registry Type	Information Included	Who Has Access
North Dakota	Adult sex offenders and adult non-sex offenders against children.	A file of registered offenders maintained at both state and local levels.	Name, date of birth, place(s) of employment, offense of conviction, court of record, date of registration, originating agency, and registering agency.	Relevant and necessary registration information may be disclosed to the public by a law enforcement agency if the agency determines that the individual registered is a public risk and disclosure of the information is necessary for public protection.
Oklahoma	Adult sex offenders present in state.	Statewide file of registered sex offenders maintained, sex offender registry maintained at local level.	Name, alias, date of birth, sex, race, weight, eye color, social security number, driver license number, home address, and a description of offense for which convicted and date of conviction. Licensed child care facilities and other entities that provide services to children may not receive the home address of the offender.	Registration information may be released to public and private elementary schools, state licensed child care facilities and providers, and entities that provide services to children.
South Dakota	Adult sex offenders present in the state.	Sex offender registry maintained at state level, registration lists provided to local law enforcement.	Name, address, alias(es), complete description, photo, fingerprints, length of time at residence, and length of time expected to remain at that residence.	Registration information and records are public records. School superintendent or child welfare owner may request criminal records check.
Virginia	Adult felony sex offenders present in state. (Including juveniles convicted in circuit courts.)	Statewide sex offender registry maintained.	Name, alias(es), sex, race, date of birth, social security number, and description of convictions requiring registration.	Information disseminated upon request to public and private schools, child welfare agencies, and family daycares.

TABLE 2b
States That Allow Access to Registration Information

State	State Role	Local Role	Comments	Contact Person
Alaska	State Department of Public Safety is responsible for maintaining central registry of sex offenders.	Sex offenders register at their local police department, which then forwards the information to the Department of Public Safety.	Sex offender allowed to view registration information that refers to that offender, and if the offender believes the information to be inaccurate, can request the Department to correct the information. Statute effective December 31, 1995. A temporary restraining order has prohibited the release of any information to date.	Corporal Patrick Hames, Department of Public Safety, Division of State Troopers (907) 258-8892.
California	Department of Justice provides a "900" phone line for the general public. Department is to determine whether an individual of inquiry reasonably appears to be a person on the list of registered sex offenders. A sub-directory of sexual habitual offenders is also maintained by the Department of Justice.	The sub-directory of sexual habitual offenders shall be distributed to county sheriffs and police departments for the purpose of public access.	Warning given through "900" telephone line that it is illegal to use information obtained to commit a crime against any person listed or to engage in illegal discrimination or harassment against such person.	Debbie Mullinax Department of Justice (916) 227-3743
Colorado	State Bureau of Investigation maintains central registry of sex offenders.	The local law enforcement agency with which the sex offender is registered is to provide registration information to anyone who requests the information, and resides within the agency's jurisdiction or demonstrates a need to know. Local law enforcement agencies are strongly encouraged to regularly provide public notice of the availability of sex offender information.	Pending law will make it mandatory for local law enforcement agencies to report all registrations to the state for entry into a central registry of sex offenders.	Gray Buckley Bureau of Investigation (303) 239-4207

State	State Role	Local Role	Comments	Contact Person
Idaho	The Idaho Department of Law Enforcement to establish and maintain a central registry of sex offenders who are required to register. The district court shall provide written notification at the time of sentencing of duty to register.	Offenders required to register with county sheriff. County sheriff to forward registration information to Department of Law Enforcement for entry into central registry.	Any person having duty to register may file a petition with the district court for an order to expunge the information contained in the registry. The petition may be granted by the court if the petitioner shows that: duty to register has expired; no criminal charge pending nor under investigation; and not a substantial risk to commit new violations.	Lonnie Gray Bureau of Criminal Investigation (208) 884-7135
Kansas	The Kansas Bureau of Investigations acts as the central repository for all sex offender registration.	County sheriff maintains registration information. Registration information open to public inspection in sheriff's office subject to Open Records Act.	Any sex offender registered may apply to the court having jurisdiction over the county in which the offender resides for an order relieving the sex offender of the duty of registration. If the court finds the offender rehabilitated, the court shall grant an order relieving the offender of the duty to register.	Kathleen Bledsoe State Bureau of Investigations (913) 296-8200
Maine	State Bureau of Identification maintains registration information. Records are available to any person, for any purpose.	None.	Offender can file a petition, 5 years after first being required to register, with the sentencing court for relief of duty to register.	Dorothy Morang State Bureau of Identification (207) 624-7009
North Carolina	State Division of Criminal Information maintains complete registration database.	County sheriff provides registration. Requests for registration information must be made to county sheriff. Any person can obtain a copy of an offender's registration form, except for the offender's photo, upon payment of the costs to copy the form.	Any individual required to register may petition the superior court in the county of residence for exemption from registering. If the individual shows for good cause that registration will not serve any useful purpose, the court shall grant the exemption.	Jane Gray Department of Justice (919) 733-3377

State	State Role	Local Role	Comments	Contact Person
North Dakota	Office of Attorney General maintains a statewide registry and provides registration materials and instructions to all involved agencies. State Department of Corrections and Rehabilitation initiates most registration processes by informing offenders of the registration requirement.	Local law enforcement agencies are the registering agencies, completing registration forms and acquiring fingerprints and photographs. Local law enforcement agencies determine whether an offender is a public risk. Disclosure of sex offender registration information dependent upon law enforcement agency.	Guidelines for determining risk of an offender at the discretion of local law enforcement agencies.	Bob Helten Bureau of Criminal Investigations (701) 328-5500
Oklahoma	The Department of Corrections maintains a file of all registered sex offenders. The file is available only to state, county and municipal law enforcement agencies.	Each local law enforcement agency makes its sex offender registry available to public and private elementary schools, licensed child care facilities, any state agency that licenses individuals to work with children, to the State Office of Personnel Management to screen persons who may work with children, and any entity that provides services to children and requests the registry.	Registration information not available to the public.	Jim Rabon Department of Corrections (405) 425-2615
South Dakota	State Division of Criminal Investigation provides registration lists to local law enforcement and criminal records check.	Local law enforcement agencies maintain registration lists, open to public inspection. Sex offenders register with local law enforcement, who forward the information to the Division of Criminal Investigation.		Jacque Storm Legislative Research Council (605) 773-3251 Judy Schneider Division of Criminal Investigations (605) 773-3331
Virginia	Department of State Police release sex offender registration information upon request to criminal justice agencies, public and private schools, child welfare agencies, and daycares for screening possible employees or volunteers.	None.	Registration information not available to the public.	Captain R. Lewis Vass Department of State Police (804) 674-2147

