

Sex Offender Registration

Michigan State Police



**LEIN Field Services
May, 2003**

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SEX OFFENDER REGISTRATION BACKGROUND

The 1997 Federal Crime Act contained a provision called “The Jacob Wetterling Act”, which required all states to pass a sex offender registration and notification law or face the loss of millions of dollars in federal crime prevention funds.

This act was named after 11-year old Jacob Wetterling who was abducted by a masked man at gunpoint near his home in October 1989. Jacob’s mother, Patty, became an advocate for missing children and was appointed to a Governor’s Task Force that recommended stronger sex offender registration requirements in Minnesota. Later, the U.S. Congress passed the “Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act” in Jacob’s honor.

“Megan’s Law” was passed by the New Jersey Legislature in 1994. This amended the Wetterling Program with regard to the disclosure of information collected by a state sex offender registry program. The law gives states broad discretion to determine to whom notification should be made about offenders, under what circumstances, and about which offenders.

The law was named after 7-year old Megan Kanka accepted an invitation from a neighbor in Hamilton Township, New Jersey, to see his new puppy. The neighbor, Jesse Timmendequas, was a twice convicted pedophile. He raped her, murdered her, and dumped her body in a nearby park. Megan’s parents said that they never would have allowed her to travel the neighborhood freely if they had known that a convicted sex offender was living across the street.

The Michigan version of “The Jacob Wetterling Act” is called the Sex Offenders Registration Act. It was passed as Public Act 295 of 1994, and went into effect on October 1, 1995.

The “Pam Lychner Sexual Offender Tracking and Identification Act of 1996” requires the Attorney General to establish a national database at the FBI to track the whereabouts and movements of each person who has been convicted of a criminal offense against a victim who is a minor, or has been convicted of a sexually violent offense, or is a sexually violent predator.

The act was named after Houston real estate agent Pam Lychner who was preparing to show a vacant home to a prospective buyer. Awaiting her at the house was a twice convicted felon who brutally assaulted her. Her husband arrived and saved her life. She then formed a victims rights advocacy group that lobbies for tougher sentences for violent criminals. Lychner and her two

SEX OFFENDER REGISTRATION BACKGROUND

daughters were killed in the explosion of TWA Flight 800 off the coast of Long Island in July of 1996. Later that year, Congress passed the Pam Lychner Sexual Offender Tracking and Identification Act of 1996 in her memory.

The “Jacob Wetterling Improvements Act of 1997” mandated that sex offenders convicted in military, tribal, and federal courts are required to register in their state of residence. It also mandated that sex offenders required to be registered in their state of residence must be registered in the state where they work and/or attend school. It also mandated that each state enact anti-stalking laws for juvenile offenders.

“The 1998 Appropriations Act for Commerce, Justice, and State Departments” requires states to participate in the FBI national sex offender registry (NSOR) and added additional offenses for registration such as kidnapping of a minor.

“The Campus Sex Crimes Prevention Act of 2000” requires state and local law enforcement notification of a registered sex offender’s employment and/or student status at an institution of higher learning.

This act was named after Jeanne Anne Clery, who was tortured, raped, sodomized, and murdered in her dormitory room at Lehigh University in 1986. Her killer was a drug and alcohol abuser, a Lehigh student whom Jeanne had never met. Jeanne’s parents later found out that 38 violent crimes had occurred on the Lehigh campus in the three years prior to her murder.

PUBLIC NOTIFICATION INFORMATION

PUBLIC NOTIFICATION AT LAW ENFORCEMENT AGENCIES

All MSP posts, sheriff's departments and local law enforcement agencies must have a public sex offender registration list compiled by the zip code areas within their jurisdiction available for public inspection during regular business hours.

It is recommended that agencies periodically run a PSOR list by their zip code(s) and maintain it in a book for public viewing. An agency is not required to make a copy of the PSOR list for the public. A PSOR list will not contain offenders adjudicated as juveniles.

The PSOR inquiry requires the Zip Code (48:), Operator (55:), and For (56:) scan lines.

An example PSOR inquiry is as follows:

PSOR.48:48413.55:SGT C SHELL.56:PO RAY BROWN/BIG CITY PD.

PUBLIC NOTIFICATION INFORMATION

PUBLIC NOTIFICATION VIA THE INTERNET SITE

WEB SITE ADDRESS: www.mipsor.state.mi.us

- The web site is updated daily at 6:00 a.m. directly from LEIN.

- There are three search options for locating a sex offender:

Search by ZIP CODE

Search by NAME, ALIAS, and approximate AGE +/- 5 years

Search by CAMPUS NAME

- After a search is complete, the web site will display:

Name/aliases of sex offender

System ID # assigned to each sex offender registration record

Sex, race, height, weight, hair color, and eye color

Date of birth

Address or "Address Unknown"

Campus name and location, if applicable

Student/ Employee status on campus, if applicable

Incarceration status or facility address, if applicable

MCL offense code

Description of offense code

- The web site also includes:

List of all registerable offenses

Frequently Asked Questions

Terms and definitions of all registerable offenses

Hyperlink to the Offender Tracking Information System website

Hyperlink to all other State Sex Offender Registries

- Why is an offender not appearing on the web site?

The offender is an adjudicated juvenile.

The offender has moved out of the state and/or out of the country.

The offender is deceased.

The case is before the Attorney General's office

The offender's conviction was NOT a listed offense.

The offender's conviction date was before October 1, 1995 and the offender was not under the supervision of the criminal justice system.

PUBLIC NOTIFICATION INFORMATION

Most Frequently Asked Questions about PSOR

Q. Does everyone who has ever been convicted of a sex crime have to register in Michigan?

A. No. Only those offenders who have been convicted of a listed offense on or after October 1, 1995, or those persons who were convicted prior to that date who were still incarcerated, on parole or probation for a listed offense on October 1, 1995 must be registered.

Q. Are there juveniles on the public sex offender registry?

A. Yes. However, only juveniles adjudicated for Criminal Sexual Conduct First Degree and Criminal Sexual Conduct Second Degree after their 18th birthday.

Q. What are the responsibilities of sex offenders required to be registered?

A. Offenders are required to **register** at the time of conviction, prior to sentencing.

In addition, offenders convicted of a misdemeanor listed offense must report to a local law enforcement agency and **verify** their address yearly, during January 1 through January 15 of each year. Failure to do so is a misdemeanor.

Offenders convicted of a felony listed offense must report to a local law enforcement agency and **verify** their address quarterly, during the first fifteen days of January, April, July, and October. Failure to do so is a misdemeanor.

Offenders must also report a change of address within ten (10) days. Failure to do so is a felony.

Q. How can I get more detailed information on an offense committed by a listed offender?

A. There are several ways to get more specific details of the offense. If you know the offense was committed locally, you should contact the county clerk's office and request to see the court file.

If you do not know where the offense was committed, you must request a criminal history record (CHR) on the offender. (There is a \$10 processing fee charge for each name requested). It will show the convictions and the counties in which these offenses occurred, which will allow you to then contact the county clerk's office in that county to attempt to gain further information. **Please Note:** If the offender has a sealed or expunged record, or if the offender was convicted in another state, those convictions will not be present on the criminal history.

PUBLIC NOTIFICATION INFORMATION

You must include the offender's name and date of birth (social security # and/ or driver's license # if known) and your return address (where you want the criminal history record sent) along with a check or money order for \$10 made payable to the State of Michigan to:

Michigan State Police Criminal Justice Information Center
Attn: Applicant Team
7150 Harris Drive
Lansing, MI 48913

Q. Who should I contact if I know of an error on the website (i.e. wrong address, zip code, spelling errors)?

A. You should contact the local law enforcement agency where the offender's listed address is located.

If you know that an offender has moved and not changed his address, you should contact the local law enforcement agency where the offender is actually residing.

Q. I recently moved into a residence, and found out that a registered sex offender lived here before me. My new address is listed on the SOR, but the offender no longer lives here. How can I get my address removed from the SOR?

A. In order to get your address removed from the SOR, you must contact your local law enforcement agency. Your local law enforcement agency will investigate the matter and you may be required to show some proof that the offender is not residing in the home (such as mortgage or rental agreements). Once convinced that the offender does not reside at that address, your local law enforcement agency can apply a "false address flag" to the offender's registration record. This will remove your address from the SOR, and will flag the offender's record when he/ she has contact with a law enforcement agency.

Q. I know an offender who was convicted of one of the listed offense, but his/ her name is not on the list. Why don't I see it?

A. The SOR shows the address for offenders who are currently known to be in the community. The following is a list of reasons why his/ her name is not shown:

1. Offender is an adjudicated juvenile
2. Offender has moved out of state/ out of country
3. Offender is deceased
4. Offender's case is before the Attorney General's office
5. Offender's conviction was not a listed offense
6. Offender's conviction date was prior to October 1, 1995, and the offender was no longer involved with the criminal justice system for that offense.

PUBLIC NOTIFICATION INFORMATION

Q. Is there a place where I can view the SOR law?

A. Yes. You can click on “Sex Offender Registration Act” on the home page of the SOR web site and view the entire act. It can also be accessed at www.michiganlegislature.org.

Q. How long are convicted sex offenders required to be registered?

A. Depending upon the charge, offenders will remain on the SOR for 25 years, or for life. (Offenders released from prison must remain on the list for a minimum of 10 years. For example, if an offender served 20 years in prison for a listed offense, upon release he/ she would have to remain on the SOR for 10 years).

Q. Are there similar web sites where I can access information regarding offenders listed in other states?

A. Yes. Some states have internet sites listing their registered sex offenders. Some are accessible at the following website: www.sexoffender.com.

REGISTRATION

Summary of Michigan Listed Sex Offenses

Misdemeanor Listed Offenses (Yearly verification : Jan. 1 – Jan. 15)

MCL CODE	OFFENSE
750.145a	Children – Accosting for Immoral Purposes (conviction prior to 6/1/02)
750.145c(4)	Child Sexually Abusive Material (conviction prior to 4/1/02)
750.167(1)(f)	Disorderly Person (Indecent or Obscene Conduct in Public Place)
750.335a	Indecent Exposure
750.448	<i>Soliciting & Accosting to Commit Prostitution or Immoral Act</i>

Felony Listed Offense (Quarterly verification: Jan, Apr, July & Oct 1 – 15)

MCL CODE	OFFENSE
750.10a	Sexually Delinquent Person
750.145a	Children – Accosting for Immoral Purposes (conviction after 6/1/02)
750.145b	Children – Accosting for Immoral Purposes 2 nd Offense
750.145c(2)	Child Sexually Abusive Commercial Activity
750.145c(3)	Child Sexually Abusive Activity – Distributing or Promoting
750.145c(4)	Child Sexually Abusive Material (conviction after 4/1/02)
750.158	<i>Sodomy</i>
750.338	<i>Gross Indecency Between Male Persons *</i>
750.338a	<i>Gross Indecency Between Female Persons *</i>
750.338b	<i>Gross Indecency Between Male & Female Persons *</i>
750.349	<i>Kidnapping</i>
750.350	Child Kidnapping
750.455	Pandering
750.520b	Criminal Sexual Conduct 1 st Degree
750.520c	Criminal Sexual Conduct 2 nd Degree
750.520d	Criminal Sexual Conduct 3 rd Degree
750.520e	Criminal Sexual Conduct 4 th Degree
750.520g	Assault with Intent to Commit Criminal Sexual Conduct

Registration requires three convictions of 750.167(1)f, three convictions of 750.335a, or a combination of three convictions of both offenses.

Pertains only to a victim is under 18 years of age.

* These offenses are not registerable if the offender was adjudicated as a juvenile.

This act also includes offenses that are:

An attempt or conspiracy to commit any of the above offenses. Also, any person convicted of a similar offense as those listed above under federal law, or the law of any state or any country, must also register.

Any other violation of a law of this state or local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age.

REGISTRATION

REGISTRATION:

PERSONS REQUIRED TO BE REGISTERED:

Any person who has been convicted of a listed offense on or after October 1, 1995.

Any person who was convicted of a listed offense prior to October 1, 1995, who was under the supervision of a criminal justice agency (i.e. prison, parole, probation, juvenile court) for the listed offense conviction.

Any person registered or required to be registered in another state or country who is residing, temporarily residing, working, or attending school in Michigan.

REGISTRATION RESPONSIBILITIES:

The registration responsibility belongs to the probation officer and/or the juvenile division of the probate court and shall occur prior to sentencing, entry of the order of disposition, or assignment to youthful trainee status.

Individuals convicted in another state or country must register within 14 days after residing (temporarily or permanently) in this state. That person shall register at a local police agency, sheriff department, or state police post (this should be the only time when law enforcement completes the entire registration process).

REGISTRATION DURATION:

The registration requirement applies for 25 years following conviction, or a minimum of 10 years after being released from prison, except that if a person had been convicted for the second or subsequent time of a "listed offense" (regardless of when the first conviction occurred). The registration requirement would then be for life.

There are some first offenses that require automatic lifetime registration. Those offenses are:

750.520b	CSC 1 st Degree
750.520c(1)a	CSC 2 nd Degree (victim under 13)
750.349	Kidnapping
750.350	Child Kidnapping
750.145c(2) & (3)	Child Sexually Abusive Commercial Activity

REGISTRATION

OFFENDER RESPONSIBILITIES:

All registered sex offenders shall maintain either a valid Michigan operator or chauffeur license or a Michigan personal identification card with a digitized photograph. The address on the card shall match the current address on the sex offender registry. This card must be used as proof of residence. Other proof of residency may be required such as a voter registration card or utility bill.

Within 10 days of changing residence, a registered sex offender must report to the local law enforcement agency, sheriff's department, or State Police post and provide the new address.

Within 14 days of moving into this state, a registered sex offender who is registered in another state or required to be registered in another state must report to the local law enforcement agency, sheriff's department, or State Police post and provide the address of residence.

Ten days prior to changing an address to another state, a registered sex offender must report in person to the nearest State Police post and provide the city and state to which they are moving, along with the complete address, if known.

All registered sex offenders shall verify their address by reporting in person to their local law enforcement agency, sheriff's department, or State Police post and provide proof of residency.

All registered sex offenders who attend, are employed, or volunteer at an institute of higher learning must report in person the name and location of the campus, as well as their status either as a student or employee, to a local law enforcement agency, sheriff's department, or State Police.

REGISTRATION PROCESS:

Registrations will be done on LEIN. LEIN shall serve as the computerized database for registrations of convicted sex offenders. Refer to the LEIN Policy Manual or contact LEIN Field Services Section at (517) 336-6167 for information to complete these requirements.

The registration entry must be completed within 7 days of receiving the information. You may wish to complete the paper form (DD-4) prior to entering the information to ensure all necessary information is entered.

REGISTRATION

The act requires the offender to receive a copy of the initial registration and the DD-4 shall be used for this purpose. After completing the form, including the signatures of the individual and registering official, the yellow copy shall be provided to the individual.

The registration form shall be completed by the agency official. **Do NOT allow the offender to complete the form.**

Both the registering official and offender shall sign and date the form.

If appropriate, have the parent and/or guardian of the juvenile offender sign the form.

Provide the yellow copy of the signed form to the offender.

The "Explanation of Duties to Register as a Sex Offender" (DD-4A) form must be completed.

REGISTRATION CHECKLIST

Step One:

- Offender shall present his/ her valid Michigan driver's license or Michigan personal ID card. The offender's Michigan driver's license or personal ID **must** include a current address and digitized photograph.

Step Two:

- Query SOR record (LEIN) to ensure offender has no pre-existing record.

If a DD-4 & DD-4A have been provided to you by the court, continue to **Step Three**.

If a DD-4 & DD-4A have not been provided to you by the court, continue below:

1. Run a criminal history record to determine conviction and duration of registration.
2. Complete DD-4 "Michigan Sex Offender Registration" and DD-4A "Explanation of Duties to Register as a Sex Offender".
3. Have offender sign both forms. The yellow copies should be given to the offender for his/ her records.

Step Three:

- Enter DD-4 information into LEIN (ESOR screen).

Step Four:

- Query SOR record (LEIN) to ensure all information has been entered correctly.

Mail the white copy of the DD-4A to:

Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913.

The white copy of the DD-4 should be destroyed.

The pink copies are designated for the entering agency. These forms may be retained in a local file or destroyed.

MICHIGAN SEX OFFENDER REGISTRATION

1994 PA 295 (amended in 1996, 1999, and 2002) created the Sex Offender Registration Act requiring persons convicted of certain sex crimes to be registered and requires criminal justice agencies to provide prescribed registration information to the Michigan Department of State Police.

An individual required to be registered under this Act who willfully violates this Act is guilty of a felony or a misdemeanor.

*Portions of this registration are confidential. Disclosure of confidential information is protected by the Federal Privacy Act. **MDOC** _____
(DOC Use Only)

<input checked="" type="checkbox"/> REGISTRATION (LEIN MESSAGE KEY: ESOR)	<input type="checkbox"/> ADJUDICATED JUVENILE
FULL NAME OF REGISTRANT 1: <u>Doe</u> <u>John</u> <u>David</u> CO 75: <u>33</u> <small>LAST FIRST MIDDLE (2-DIGIT CODE)</small>	
STREET 8: <u>123 Main Street</u> CITY 9: <u>Some Town</u> STATE 10: <u>MI</u> ZIP 48: <u>48823</u> <small>P.O. BOX NOT ACCEPTED</small>	
DOB 7: <u>6-6-1976</u> RACE/SEX 2: <u>W/M</u> HGT 3: <u>6'0"</u> WGT 4: <u>225</u> HAIR 5: <u>BRO</u> EYE 6: <u>BLU</u>	
SSN 12: <u>123-45-6789</u> DLN 11: <u>D 123-456-789-012</u> BLOOD TYPE: 61: <u>YES</u> <small>OPTIONAL</small>	
DNA PROFILE AVAILABLE 71: <u>YES</u> FBI# 39: <u>123456AB7</u> SID# 50: <u>123456A</u> <small>OPTIONAL</small>	
ALIASES 19: <u>Doe/David/John</u>	
COMPILED LAW CITATION(S) 220:	
A: <u>750.520D</u> B: _____	
DATE REGISTERED 16: <u>4-1-2002</u> DURATION OF REGISTRATION 72: <u>25 years</u>	
REMARKS 41: <u>Sexual contact with minor. Victim was subject's 14-year old niece.</u>	

CAMPUS NAME 150: <u>Michigan State University</u> CITY 151: <u>East Lansing</u> STUDENT 152: <input checked="" type="checkbox"/> EMPLOYEE 153: <input type="checkbox"/>
CAMPUS NAME 150: <u>Hill Vocational</u> CITY 151: <u>Lansing</u> STUDENT 152: <input type="checkbox"/> EMPLOYEE 153: <input checked="" type="checkbox"/>

<input type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input type="checkbox"/> MOVING OUT OF STATE
SYSIDNO 20: _____		<input type="checkbox"/> INCARCERATED
FULL NAME OF REGISTRANT 1: _____ RACESEX 2: _____ DOB 7: _____		
DLN 11: _____		
STREET 8: _____ CITY 9: _____ STATE 10: _____ ZIP 48: _____ CO: 75: _____ <small>P.O. BOX NOT ACCEPTED (2-DIGIT CODE)</small>		

_____ SIGNATURE OF OFFENDER	_____ SIGNATURE OF PARENT OR GUARDIAN
_____ SIGNATURE OF REGISTERING OFFICIAL	<u>Jane Smith/ Sergeant</u> PRINTED NAME OF REGISTERING OFFICIAL
<u>Michigan State Police Post #99</u> REGISTERING AGENCY	<u>MI0123456</u> ORI
	<u>1/1/03</u> DATE

NOTIFICATION

EXPLANATION OF DUTIES TO REGISTER AS A SEX OFFENDER (DD-4A)

Federal law requires that all registered sex offenders be advised of their duties to register, verify, change address, status at an institute of higher learning, etc. Form DD-4A, "Explanation of Duties to Register as a Sex Offender", is utilized for this purpose. This form will be explained to the offender upon initial registration by the court, parole or probation personnel, or if incarcerated, by an MDOC authorized employee just prior to his/her release.

If an offender has moved into the state of Michigan, the notification form shall be completed by the local law enforcement agency, sheriff's department, or State Police post where the offender is registering.

It is proper to read and explain each point enumerated on the form. The official explaining this form shall complete the information. After signing the notification form, present the form to the individual for his/ her signature. After receiving his/ her signature, provide the individual with the yellow copy of this form.

The notification form shall be completed by the agency official. **Do NOT allow the offender to complete the form.**

If an offender refuses to sign the form, the agency official shall write "Refused to Sign" on the offender's signature line and forward to the address below.

The white copy of the notification form shall be mailed to:

**Michigan State Police, Criminal Justice Information Center, Sex Offender Registration,
7150 Harris Drive, Lansing, MI 48913.**

This form will be kept on file as evidence that the offender was explained his duties and responsibilities as required by the act.

Each agency shall ensure that a notification form is completed and submitted for all persons residing in their jurisdiction.

The pink copies may be retained in a local file or destroyed.

Certified copies of DD-4A forms are available from the SOR Staff. Please submit request including the offender's name and date of birth.

VERIFICATION

VERIFICATION RESPONSIBILITIES:

All registered sex offenders are required to verify their address. Persons registered for a felony listed offense will verify quarterly and persons registered for a misdemeanor listed offense will verify yearly.

Verification periods remain the same each year. Yearly verification will occur during the first 15 days of January of each year. Quarterly verification will occur during the first 15 days of January, April, July, and October of each year. (Please refer to Summary of Michigan Listed Sex Offenses on page 8.)

Please Note: CSC 4th degree is a high court misdemeanor and is regarded by the Michigan Sex Offenders Registration Act as a **felony-listed offense**.

All registered sex offenders will verify their address by responding, in person, to the local police agency having jurisdiction where they live, the sheriff's office, or nearest State Police post. A valid Michigan operator's or chauffeur's license, or a Michigan personal identification card, with a digitized photograph may be used as proof of domicile or residence and should be requested by the verifying officer. Law enforcement officers may require the offender to produce another document bearing his/her name and address, such as a voter registration card, utility bill, rental contract, etc.

Pleas Note: The address on the offender's Michigan operator's or chauffeur's license must match the address listed on the Michigan Sex Offender Registry.

After verifying the offender's address, the DD-4 shall be completed, signed, and dated by the agency official. The offender shall sign the DD-4 verification form. The yellow copy of the DD-4 shall be given to the individual. After entering the verification into LEIN, the form may be retained in a local file or destroyed. **(Do not send the form to the Sex Offender Registry Unit.)**

At the end of each verification month, LEIN shall make available, by zip code, a list of persons failing to verify their address for that period. Each law enforcement agency is strongly encouraged to take rapid and appropriate enforcement action for these violations of the act.

If your investigation reveals that the individual has moved without changing his address, agencies are encouraged to seek prosecution for that felony offense.

ADDRESS VERIFICATION CHECKLIST FOR SEX OFFENDERS

Verification periods are as follows:

Yearly for misdemeanor listed offenses from: January 1 to January 15

Quarterly for all felony listed offenses from: January 1 to January 15
April 1 to April 15
July 1 to July 15
October 1 to October 15

Step One:

- Offender shall present his/ her valid Michigan driver's license or Michigan personal ID card. The Michigan driver's license or ID card must include a current address with digitized photograph, and must match the address listed on the Michigan Sex Offender Registry.

Step Two:

- Query SOR record (LEIN) for:

- Last date of address verification.

If the offender has missed his/ her previous verification date, you should save all LEIN work for possible warrant request submissions. Once the address is verified, all prior verification data is overwritten and is not retrievable by the MSP Data Center.

- Check for "Campus Notification Made To Offender" statement.

If this statement is not on the SOR record, complete a DD-4A (Explanation of Duties to Register as a Sex Offender). It is proper for the agency official to read and explain each point enumerated on the form. The offender shall sign the form. Mail the original form to: Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913.

Step Three:

- Complete "Address Verification" portion of the DD-4.

The DD-4 shall be completed, signed, and dated by the officer or authorized employee. The offender shall also sign the DD-4 form. Failure to sign the verification form is a misdemeanor and proper enforcement action should be taken when an individual refuses to sign this form. Give the offender the yellow copy of the DD-4.

Step Four:

- Enter DD-4 information into LEIN and activate the "Address Verification Flag"

If you **are** the owner of the record, update or add any additional information missing on the SOR record by modifying the record such as:

- MI DLN # or MI PID #
- FBI #
- Known Aliases
- SSN #
- SID #
- Middle Name

If you **are not** the owner of the record, please contact either the owner of the record or SOR staff to have information added.

MICHIGAN SEX OFFENDER REGISTRATION

1994 PA 295 (amended in 1996, 1999, and 2002) created the Sex Offender Registration Act requiring persons convicted of certain sex crimes to be registered and requires criminal justice agencies to provide prescribed registration information to the Michigan Department of State Police.

An individual required to be registered under this Act who willfully violates this Act is guilty of a felony or a misdemeanor.

*Portions of this registration are confidential. Disclosure of confidential information is protected by the Federal Privacy Act. **MDOC #** _____ **(DOC Use Only)**

<input type="checkbox"/> REGISTRATION (LEIN MESSAGE KEY: ESOR)	<input type="checkbox"/> ADJUDICATED JUVENILE
FULL NAME OF REGISTRANT 1: _____ CO 75: _____ <small>LAST FIRST MIDDLE (2-DIGIT CODE)</small>	
STREET 8: _____ CITY 9: _____ STATE 10: _____ ZIP 48: _____ <small>P.O. BOX NOT ACCEPTED</small>	
DOB 7: _____ RACE/SEX 2: _____ HGT 3: _____ WGT 4: _____ HAIR 5: _____ EYE 6: _____	
SSN 12: _____ DLN 11: _____ BLOOD TYPE: 61: _____ <small>OPTIONAL</small>	
DNA PROFILE AVAILABLE 71: _____ FBI# 39: _____ SID# 50: _____ <small>OPTIONAL</small>	
ALIASES 19: _____	
COMPILED LAW CITATION(S) 220:	
A: _____ B: _____	
DATE REGISTERED 16: _____ DURATION OF REGISTRATION 72: _____	
REMARKS 41: _____	

CAMPUS NAME 150: _____ CITY 151: _____ STUDENT <input type="checkbox"/> EMPLOYEE <input type="checkbox"/>
152: _____ 153: _____
CAMPUS NAME 150: _____ CITY 151: _____ STUDENT <input type="checkbox"/> EMPLOYEE <input type="checkbox"/>
152: _____ 153: _____

<input checked="" type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input type="checkbox"/> MOVING OUT OF STATE
SYSIDNO 20: 12345678 _____		<input type="checkbox"/> INCARCERATED
FULL NAME OF REGISTRANT 1: Doe, John David _____		RACESEX 2: W/M DOB 7: 6/6/1976
DLN 11: D 123-456-789-012 _____		
STREET 8: 456 Some Street _____ CITY 9: Any Town _____ STATE 10: MI ZIP 48: 48823 CO 75: 33 _____ <small>P.O. BOX NOT ACCEPTED (2-DIGIT CODE)</small>		

_____ SIGNATURE OF OFFENDER	_____ SIGNATURE OF PARENT OR GUARDIAN
_____ SIGNATURE OF REGISTERING OFFICIAL	Jane Smith/ Sergeant PRINTED NAME OF REGISTERING OFFICIAL
Michigan State Police Post #99 REGISTERING AGENCY	MI0123456 ORI
	1/1/03 DATE

CHANGE OF ADDRESS

CHANGE OF ADDRESS:

LOCAL CHANGE OF ADDRESS REQUIREMENTS:

Once registered, persons, must notify law enforcement of any change in address. This must be done within 10 days of the address change and the notification must be done with either the local agency in which jurisdiction the new address is located, the sheriff department, or State Police post.

If the person is in prison and is transferred to a community residential program or a minimum custody facility of any kind, the Michigan Department of Corrections shall notify the affected local police agency, sheriff department, or State Police post with 10 days.

The law enforcement agency contacted will then enter the change of address via LEIN.

OUT OF STATE CHANGE OF ADDRESS REQUIREMENTS:

Registered sex offenders who are moving out of the state of Michigan are required to report to the nearest State Police post and provide the city and state to which they are moving, along with the complete address, if known. This must be done ten days prior to the offender moving.

Local police agencies shall direct any individual who reports a change of address to another state, to proceed to the nearest State Police post to process the out of state change of address.

Law enforcement officials shall complete the DD-4 form, listing his/her new out of state address. Sign and date the form and provide the form to the offender for his/ her signature. The yellow copy is given to the offender. The white copy should be mailed to the Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913 or faxed to (517) 336-6421. This shall be done within 3 days of entering the out of state change of address into LEIN.

You may retain the pink copy at the Post or destroy the form.

The Sex Offender Registry staff shall notify the new state of the offender's intent to move.

CHANGE OF ADDRESS CHECKLIST

Address Verifications **should not** be entered at time of address change, unless the address change occurs during a verification period.

Step One:

- Offender shall present his/ her valid Michigan driver's license or Michigan personal ID card. The offender's Michigan driver's license or personal ID must include a current address and digitized photograph.

Step Two:

- Query SOR record (LEIN) for:
 1. Last date of address verification.

If the offender has missed his/ her previous verification date, you should save all LEIN work for possible warrant request submissions. Once the address is verified, all other data is overwritten and is not retrievable by the MSP Data Center.

2. "Notification made to offender" statement.

If this statement is not on the SOR record, complete a DD-4A (Explanation of Duties to Register as a Sex Offender). Read the DD-4A to the offender, and have him/ her sign the form. Mail the original form to: Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913.

Step Three:

- Complete "Change of Address" section of DD-4A form. The new address shall match the offender's Michigan driver's license or personal ID.

The DD-4 shall be completed, signed, and dated by the officer or authorized employee. The offender shall also sign the DD-4 form. Failure to sign the verification form is a misdemeanor and proper enforcement action should be taken when an individual refuses to sign this form. Give the offender the yellow copy of the DD-4.

Step Four:

- Enter DD-4 information into LEIN.

If this is an out of state address change and the street address is unknown, you should use **123 No Address** when entering the information into LEIN.

If the offender is homeless, you should use **123 Homeless** when entering the information into LEIN.

MICHIGAN SEX OFFENDER REGISTRATION

1994 PA 295 (amended in 1996, 1999, and 2002) created the Sex Offender Registration Act requiring persons convicted of certain sex crimes to be registered and requires criminal justice agencies to provide prescribed registration information to the Michigan Department of State Police.

An individual required to be registered under this Act who willfully violates this Act is guilty of a felony or a misdemeanor.

*Portions of this registration are confidential. Disclosure of confidential information is protected by the Federal Privacy Act. MDOC # _____ (DOC Use Only)

<input type="checkbox"/> REGISTRATION (LEIN MESSAGE KEY: ESOR)	<input type="checkbox"/> ADJUDICATED JUVENILE
FULL NAME OF REGISTRANT 1: _____ CO 75: _____ <small>LAST FIRST MIDDLE (2-DIGIT CODE)</small>	
STREET 8: _____ CITY 9: _____ STATE 10: _____ ZIP 48: _____ <small>P.O. BOX NOT ACCEPTED</small>	
DOB 7: _____ RACE/SEX 2: _____ HGT 3: _____ WGT 4: _____ HAIR 5: _____ EYE 6: _____	
SSN 12: _____ DLN 11: _____ BLOOD TYPE: 61: _____ <small>OPTIONAL</small>	
DNA PROFILE AVAILABLE 71: _____ FBI# 39: _____ SID# 50: _____ <small>OPTIONAL</small>	
ALIASES 19: _____	
COMPILED LAW CITATION(S) 220:	
A: _____ B: _____	
DATE REGISTERED 16: _____ DURATION OF REGISTRATION 72: _____	
REMARKS 41: _____	

CAMPUS NAME 150: _____ CITY 151: _____ STUDENT <input type="checkbox"/> EMPLOYEE <input type="checkbox"/>
152: _____ 153: _____
CAMPUS NAME 150: _____ CITY 151: _____ STUDENT <input type="checkbox"/> EMPLOYEE <input type="checkbox"/>
152: _____ 153: _____

<input type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input checked="" type="checkbox"/> MOVING OUT OF STATE
SYSIDNO 20: 12345678 _____		<input type="checkbox"/> INCARCERATED
FULL NAME OF REGISTRANT 1: Doe, John David _____		RACESEX 2: W/M _____ DOB 7: 6/6/1976 _____
DLN 11: D 123-456-789-012 _____		
STREET 8: 456 Some Street _____ CITY 9: Any Town _____ STATE 10: CA _____ ZIP 48: 01234 _____ CO 75: OS _____ <small>P.O. BOX NOT ACCEPTED (2-DIGIT CODE)</small>		

_____ SIGNATURE OF OFFENDER	_____ SIGNATURE OF PARENT OR GUARDIAN
_____ SIGNATURE OF REGISTERING OFFICIAL	Jane Smith/ Sergeant PRINTED NAME OF REGISTERING OFFICIAL
Michigan State Police Post #99 REGISTERING AGENCY	MI0123456 ORI
	1/1/03 DATE

STATUS AT AN INSTITUTION OF HIGHER LEARNING

PERSONS REQUIRED TO REPORT STATUS

Persons registered as a sex offender who are employed or attend an institute of higher learning that require them to be present on campus for 14 or more consecutive days or 30 or more total days in a calendar year must report his or her status.

This includes all full and part-time employees and/or students, contractual providers, employees of contractual providers, and volunteers.

All registered persons are required to report this status, regardless of:

- Financial compensation
- Governmental or educational benefit

An institute of higher learning is defined as:

Public or private community college, college, or university
Public or private trade, vocational, or occupational school.

Please Note: An institution of higher learning is post secondary. High schools, alternative schools, and GED programs are not included.

REPORTING RESPONSIBILITIES

Michigan Residents

Once registered, persons who are residents of Michigan and are employed or attend an institution of higher learning who will be required to be present on campus for 14 or more consecutive days or 30 or more total days in a calendar year, must notify the local law enforcement agency, sheriff's department, or State Police post having jurisdiction over their residence of his or her employment and/or educational status.

Out of State Residents

Persons who are not residents of Michigan and are employed or attend an institution of higher learning who are required to be present on campus for 14 or more consecutive days or 30 or more total days in a calendar year, must notify the local law enforcement agency, sheriff's department, or State Police post having jurisdiction of the campus of his or her employment and/or educational status.

CHANGE IN STATUS

Any change in status must be reported within 10 days. This would include the start and/or discontinuation of employment or enrollment, start or discontinuation of volunteer service, and a change in location.

STATUS AT AN INSTITUTION OF HIGHER LEARNING

WRITTEN DOCUMENTATION OF STATUS

The local law enforcement agency, sheriff's department, or State Police post to which an individual reports shall require the individual to present written documentation of employment, contractual relationship, volunteer, or student status. Written documentation may include, but need not be limited to, any of the following:

- W-2 form
- Pay stub
- Written statement by an employer
- Contract
- Student identification card
- Student transcript

LEIN ENTRY INFORMATION

The new screens for adding the campus information are operational in LEIN through the terminal emulator (blue screen).

To input the campus information, type F SESUP. The following scan lines are required:

- Agency ORI
- 55: OPR
- 20: SYSIDNO
- 1: NAM
- 150: CAM
- 151: CCY
- 152: CST
- 153: CEM

150: (Campus Code). This mandatory field requires a numerical code. The list of schools and numerical codes can be accessed by typing in F Campus.

151: (Campus City). This field is used for the city or campus location. This must be typed in manually. Campus City should be used when an offender is at a satellite campus.

152: (Student). This mandatory field requires a Y or N.

153: (Employee). This mandatory field requires a Y or N.

To cancel the campus information, type F SCSUP. The scan lines are the same as above.

SEX OFFENDER REGISTRATION LEIN FLAGS

LEIN FLAGS:

JUVENILE FLAG (Scan Line 82 or JUV):

This scan line is mandatory and is used to flag the SOR record as a juvenile record. Juvenile records are not to be released to the public. This scan line must be entered if the offender is adjudicated as a juvenile.

This scan line is administered by all law enforcement agencies and is required by statute to prohibit adjudicated juveniles from appearing on the public registry.

The following caveat will be added to the SOR record when the Juvenile Flag is set:

****SUBJECT IS AN ADJUDICATED JUVENILE****

FALSE ADDRESS FLAG (Scan Line 85 or FAF):

Agencies may receive complaints by citizens that a registered sex offender is not longer living at the address listed on the Public Sex Offender Registry (PSOR). Once the agency is satisfied that the address is incorrect, the False Address Flag should be set.

This scan line is administered by all law enforcement agencies and blocks a sex offender's false address from appearing on the public registry.

The following caveat will be added to the SOR record when the False Address Flag is set:

****FALSE ADDRESS FLAG IS ON****

JUDICIAL FLAG:

This scan line is ordered by the Attorney General's Office and is administered by the SOR staff. This scan line blocks a sex offender's record from the public registry while a decision is being made on a court order to remove the sex offender from the registry. This scan line remains in effect until the Attorney General's Office makes a decision on a case by case basis regarding the Order to Remove Sex Offender from Registry.

The following caveat will be added to the SOR Record when the Judicial Flag is set:

COURT ORDERED REMOVAL FROM PUBLIC LIST

SEX OFFENDER REGISTRATION LEIN FLAGS

NOTIFICATION FLAG:

This scan line is administered by the Sex Offender Registry staff. This scan line was used when the 1999 – 2001 version of the DD-4A was received by Sex Offender Registration. When the form was received, the Sex Offender Registration staff activated this flag to notify law enforcement agencies that the offender has been explained his responsibilities to register as a sex offender. This form is maintained at the Sex Offender Registration Office as evidence.

The following caveat was added to the SOR Record when the Notification Flag was set:

****NOTIFICATION HAS BEEN MADE TO OFFENDER****

CAMPUS NOTIFICATION FLAG:

This scan line is administered by the Sex Offender Registry staff. This scan line is used when the 2002 – present version of the DD-4A is received by Sex Offender Registration. When the form is received, the Sex Offender Registration staff activates this flag to notify law enforcement agencies that the offender has been explained his responsibilities to register as a sex offender. This form is then maintained at the Sex Offender Registration Office as evidence.

The following caveat will be added to the SOR Record when the Notification Flag is set:

****CAMPUS NOTIFICATION HAS BEEN MADE TO OFFENDER****

PENALTIES & PROSECUTION JURISDICTION

PENALTIES:

Failing to Register

- First conviction: Felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000, or both.
- Second conviction: Felony; punishable by imprisonment for not more than 7 years or a fine of not more than \$5,000, or both.
- Third conviction: Felony; punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

Failing to Change Address

- First conviction: Felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000, or both.
- Second conviction: Felony; punishable by imprisonment for not more than 7 years or a fine of not more than \$5,000, or both.
- Third conviction: Felony; punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

Failing to Register Status at a Campus of Higher Learning

- First conviction: Felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000, or both.
- Second conviction: Felony; punishable by imprisonment for not more than 7 years or a fine of not more than \$5,000, or both.
- Third conviction: Felony; punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

PENALTIES & PROSECUTION JURISDICTION

Failing to Verify

An individual who fails to comply with verification is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000, or both.

Failing to Sign Sex Offender Registration Forms

An individual who fails to sign a registration, notice or verification form is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine or not more than \$1,000, or both.

Prosecution Jurisdiction

An individual's failure to comply with the Michigan Sex Offenders Registration Act may be prosecuted in the judicial district of any of the following:

1. The individual's last registered address or residence
2. The individual's actual address or residence
3. Where the individual was arrested for the violation

Arrest Codes (File Class is "5000" Fugitive)

Failure to Register:	5089
Failure to Comply with Reporting Duties (Change of Address):	5090 Felony
Failure to Comply with Reporting Duties (Verify Address):	5090 Misdemeanor
Failure to Sign Form:	5091

MSA Codes

Failure to Register:	28.729
Failure to Comply with Reporting Duties : (Change Address, Report Campus Info)	28.7291
Failure to Comply with Reporting Duties: (Verify Address)	28.7292
Failure to Sign Form:	28.7293

SEX OFFENDER REGISTRATION LEIN EXAMPLE

LEIN Sex Offender Registration Example

QSOR.1:CASE/TEST//.2:UM.7:19101010.55:CSHELL.56:CSHELL/MSP CJIC.

A LEIN 85489 30 05/10/02 1324 ELIR02
MI3300634
RE:CASE/TEST// 10/10/1910
FOR:CSHELL/MSP CJIC
OPR:CSHELL

SEX OFFENDER REGISTRATION PER ACT 295, P.A. 1994

DO NOT ARREST, DETAIN OR SEARCH BASED SOLELY UPON THIS RESPONSE

NAM:CASE/TEST// DOB:10/10/1910
RAC:WHITE SEX:MALE HGT:611 WGT:200
HAI:BLONDE EYE:BLUE
ORIGINAL ADD:123 TEST ROAD, TEST, MI 48909 CO:33
SUBJECT IS AN ADJUDICATED JUVENILE
ADDRESS VERIFIED ON 04/08/2001 BY MI3300633
NOTIFICATION HAS BEEN MADE TO OFFENDER
CAMPUS NOTIFICATION HAS BEEN MADE TO OFFENDER

CAMPUS NAM:MICHIGAN STATE UNIVERSITY
CAMPUS CITY: EAST LANSING
STUDENT DATE ENTERED: 01/13/2003
CAMPUS NAM:HILL VOCATIONAL
CAMPUS CITY:LANSING
EMPLOYEE DATE ENTERED: 01/13/2003

DNA PROFILE AVAILABLE:NO
DURATION:25 YEAR REGISTRATION

REMARKS:THIS IS A TEST CASE
COMP LAW CIT:750.520D(CRIMINAL SEXUAL CONDUCT – THIRD DEGREE) (MULTIPLE
VARIABLES)

ENTERED LEIN:10/19/2000 1333 HRS
MI3300634 – MSP CJIC SEX OFFENDER REG
SYSIDNO:11657916

END MSG

STATE REGISTERING AGENCIES

ALABAMA

Alabama Department of Public Safety
Bureau of Investigation

Phone: (334) 260-1181
Fax: (334) 260-2563
ORI: ALAST0047

ALASKA

Alaska Department of Public Safety
Division of Alaska State Troopers

Phone:(907) 269-5511
Fax: (907) 269-5033
ORI: AKAST1500

ARIZONA

Arizona Department of Public Safety
Sex Offender Compliance Unit

Phone: (602) 255-0611
Fax: (602) 223-2949
ORI: AZDPS1900

ARKANSAS

Arkansas Crime Information Center

Phone(501) 682-2222
Fax: (501) 682-2269
ORI: AR060015Y

CALIFORNIA

California Department of Justice
Violent Crime Information Center

Phone: (916) 227-3280
Fax: (916) 227-4814
ORI: CA0349428

COLORADO

Colorado Bureau of Investigation

Phone: (303) 239-4222
Fax: (303) 233-8336
ORI: COCBI0000

CONNECTICUT

Connecticut Department of Public Safety

Phone: (860) 685-8303
Fax: (860) 685-8354
ORI: CTCSP3900

DELAWARE

Delaware State Police

Phone: (302) 739-5880
Fax: (302) 739-5888
ORI: DEDSP0000

STATE REGISTERING AGENCIES

DISTRICT OF COLUMBIA

Metropolitan Police Department

Phone: (202) 727-5516
Fax: (202) 727-4464
ORI: DCMPD0000

FLORIDA

Florida Dept. of Law Enforcement
Missing Children Information
Clearinghouse & Sexual Offender/
Predator Unit

Phone: (888) 357-7332
Fax: (850) 410-8599
ORI: ORI: FL0370100

GEORGIA

Georgia Bureau of Investigation

Phone: (404) 244-2835
Fax: (404) 212-3028
ORI: GAGBI00287

HAWAII

Department of the Attorney General
Criminal Justice Data Center

Phone: (808) 587-3100
Fax: (808) 587-3109
ORI: HI002015Y

IDAHO

Idaho State Police
Bureau of Criminal Identification

Phone: (208) 884-7136
Fax: (208) 884-7193
ORI: IDO01015Y

ILLINOIS

Illinois State Police

Phone: (217) 785-0633
Fax: (217) 782-4996
ORI: IL08425V1

INDIANA

Indiana Criminal Justice Institute

Phone: (317) 232-1233
Fax: (317) 232-4979
ORI:

IOWA

Iowa Division of Criminal Investigation

Phone: (515) 281-5138
Fax: (515) 281-4898
ORI: IADCI0006

STATE REGISTERING AGENCIES

KANSAS

Kansas Bureau of Investigation

Phone: (785) 296-8277
Fax: (785) 296-6781
ORI: KSKBI0000

KENTUCKY

Kentucky State Police Records Section

Phone: (502) 227-8781
Fax: (502) 227-8734
ORI: KYKSP0003

LOUISIANA

Louisiana State Police
Bureau of Criminal Identification &
Information

Phone: (225) 925-6095
Fax: (225) 925-7005
ORI: LALSP0001

MAINE

Maine State Police
State Bureau of Identification

Phone: (207) 624-7097
Fax: (207) 624-7088
ORI: MESPSBI00

MARYLAND

Department of Public Safety &
Correctional Services
Crimes Against Children & SOR Unit

Phone: (410) 764-5665 x317
Fax: (410) 764-5172
ORI: MD003105Y

MASSACHUSETTS

Sex Offender Registry

Phone: (617) 660-4741
Fax: (617) 660-4613
ORI: MACJIS094

MINNESOTA

Minnesota Bureau of Criminal
Apprehension

Phone: (651) 603-6748
Fax: (651) 643-3024
ORI: MNBCA0000

MISSISSIPPI

Department of Public Safety
Criminal Information Center

Phone: (601) 933-2600
Fax: (601) 933-2660
ORI: MSMHP0000

STATE REGISTERING AGENCIES

MISSOURI

Missouri State Highway Patrol

Phone: (573) 526-6160
Fax: (573) 751-9382
ORI: MOMHP0001

NEBRASKA

Nebraska State Patrol
Sex Offender Registry

Phone: (402) 471-8640
Fax: (402) 471-8496
ORI: NBNSP0003

NEW HAMPSHIRE

New Hampshire State Police

Phone: (603) 271-2663
Fax: (603) 271-2520
ORI: NHNSP0800

NEW MEXICO

Department of Public Safety

Phone: (505) 827-9191
Fax: (505) 827-3388
ORI: NMNSP0000

MONTANA

Department of Justice
Division of Criminal Investigation

Phone: (406) 444-9479
Fax: (406) 444-2759
ORI: MT026035Y

NEVADA

Nevada Highway Patrol

Phone: (775) 687-1600 x266
Fax: (775) 687-1843
ORI: NV0131749

NEW JERSEY

Division of State Police

Phone: (609) 882-2000 x2318
Fax: (609) 538-0544
ORI: NJNSP0230

NEW YORK

Division of Criminal Justice Services
Sex Offender Registry

Phone: (518) 457-6326
Fax: (518) 457-6965
ORI: NY001025Y

STATE REGISTERING AGENCIES

NORTH CAROLINA

State Bureau of Investigation
Division of Criminal Information

Phone: (919) 662-4500
Fax: (919) 662-4523
ORI: NCDCI0000

NORTH DAKOTA

Bureau of Criminal Investigation

Phone: (701) 328-5500
Fax: (701) 328-5510
ORI: NDBCA0000

OHIO

Bureau of Criminal Identification and
Investigation

Phone: (740) 845-2223
Fax: (740) 845-2221
ORI: OHBCI0000

OKLAHOMA

Oklahoma Department of Corrections

Phone: (405) 228-2065
Fax: (405) 228-2088
ORI: OK055025C

OREGON

Oregon State Police

Phone: (503) 378-3720
Fax: (503) 363-5475
ORI: OROSP5900

PENNSYLVANIA

Pennsylvania State Police

Phone: (717) 783-4363
Fax: (717) 772-3681
ORI: PAPSP00U9

RHODE ISLAND

Department of the Attorney General

Phone: (401) 274-4400 x2347
Fax: (401) 222-1331
ORI: RI004015Y

SOUTH CAROLINA

South Carolina Law Enforcement
Department

Phone: (803) 896-7142
Fax: (803) 896-7022
ORI: SCLED0000

STATE REGISTERING AGENCIES

SOUTH DAKOTA

South Dakota Office of Attorney General
Division of Criminal Investigation

Phone: (605) 773-3331
Fax: (605) 773-4629
ORI: SDDC10062

TENNESSEE

Tennessee Bureau of Investigation

Phone: (615) 744-4302
Fax: (615) 744-4655
ORI: TNTBI0000

TEXAS

Texas Department of Public Safety
AFIS/CJIC Bureau
Sex Offender Registration Program

Phone: (512) 424-2471
Fax: (512) 424-5911
ORI: TX0000000

UTAH

Department of Corrections

Phone: (801) 265-5626
Fax: (801) 265-5569
ORI: UT018095C

VERMONT

Vermont Crime Information Center

Phone: (802) 241-5220
Fax: (802) 241-5400
ORI: VTVSP0000

VIRGINIA

Virginia Department of State Police

Phone: (804) 674-2022
Fax: (804) 674-2105
ORI: VAVSP0000

WASHINGTON

Washington State Patrol
Identification and Criminal History
Section

Phone: (360) 705-5105
Fax: (360) 705-5108
ORI: WAWSP0000

WEST VIRGINIA

West Virginia State Police

Phone: (304) 746-2177
Fax: (304) 746-2402
ORI: WVVSP000Z

STATE REGISTERING AGENCIES

WISCONSIN

Wisconsin Department of Corrections

Phone: (608) 266-3831
Fax: (608) 267-1751
ORI: WI013135C

WYOMING

Wyoming Division of Criminal
Investigation

Phone: (307) 777-7809
Fax: (307) 777-7252
ORI: WY0110400

SEX OFFENDERS REGISTRATION ACT
Act 295 of 1994

AN ACT to require persons convicted of certain offenses to register; to prescribe the powers and duties of certain departments and agencies in connection with that registration; and to prescribe penalties and sanctions.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

© 2002 Legislative Council, State of Michigan

The People of the State of Michigan enact:

28.721 Short title.

Sec. 1.

This act shall be known and may be cited as the “sex offenders registration act”.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

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28.721a.added THIS ADDED SECTION IS EFFECTIVE OCTOBER 1, 2002 28.721a.added
Legislative declarations; determination; intent.

Sec. 1a.

The legislature declares that the sex offenders registration act was enacted pursuant to the legislature's exercise of the police power of the state with the intent to better assist law enforcement officers and the people of this state in preventing and protecting against the commission of future criminal sexual acts by convicted sex offenders. The legislature has determined that a person who has been convicted of committing an offense covered by this act poses a potential serious menace and danger to the health, safety, morals, and welfare of the people, and particularly the children, of this state. The registration requirements of this act are intended to provide law enforcement and the people of this state with an appropriate, comprehensive, and effective means to monitor those persons who pose such a potential danger.

History: Add. 2002, Act 542, Eff. Oct. 1, 2002 .

28.722.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2002
28.722.amended Definitions.

Sec. 2.

As used in this act:

(a) “Convicted” means 1 of the following:

(i) Having a judgment of conviction or a probation order entered in any court having jurisdiction over criminal offenses, including but not limited to, a tribal court or a military court, and including a conviction subsequently set aside under 1965 PA 213, MCL 780.621 to 780.624.

(ii) Being assigned to youthful trainee status under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15.

(iii) Having an order of disposition entered under section 18 of chapter XIIA of the probate

code of 1939, 1939 PA 288, MCL 712A.18, that is open to the general public under section 28 of chapter XIA of the probate code of 1939, 1939 PA 288, MCL 712A.28.

(iv) Having an order of disposition or other adjudication in a juvenile matter in another state or country.

(b) “Department” means the department of state police.

(c) “Institution of higher education” means 1 or more of the following:

(i) A public or private community college, college, or university.

(ii) A public or private trade, vocational, or occupational school.

(d) “Local law enforcement agency” means the police department of a municipality.

(e) “Listed offense” means any of the following:

(i) A violation of section 145a, 145b, or 145c of the Michigan penal code, 1931 PA 328, MCL 750.145a, 750.145b, and 750.145c.

(ii) A violation of section 158 of the Michigan penal code, 1931 PA 328, MCL 750.158, if a victim is an individual less than 18 years of age.

(iii) A third or subsequent violation of any combination of the following:

(A) Section 167(1)(f) of the Michigan penal code, 1931 PA 328, MCL 750.167.

(B) Section 335a of the Michigan penal code, 1931 PA 328, MCL 750.335a.

(C) A local ordinance of a municipality substantially corresponding to a section described in sub-subparagraph (A) or (B).

(iv) Except for a juvenile disposition or adjudication, a violation of section 338, 338a, or 338b of the Michigan penal code, 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, if a victim is an individual less than 18 years of age.

(v) A violation of section 349 of the Michigan penal code, 1931 PA 328, MCL 750.349, if a victim is an individual less than 18 years of age.

(vi) A violation of section 350 of the Michigan penal code, 1931 PA 328, MCL 750.350.

(vii) A violation of section 448 of the Michigan penal code, 1931 PA 328, MCL 750.448, if a victim is an individual less than 18 years of age.

(viii) A violation of section 455 of the Michigan penal code, 1931 PA 328, MCL 750.455.

(ix) A violation of section 520b, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g.

(x) Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age.

(xi) An offense committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(xii) An attempt or conspiracy to commit an offense described in subparagraphs (i) to (xi).

(xiii) An offense substantially similar to an offense described in subparagraphs (i) to (xii) under a law of the United States, any state, or any country or under tribal or military law.

(f) “Municipality” means a city, village, or township of this state.

(g) “Residence”, as used in this act, for registration and voting purposes means that place at which a person habitually sleeps, keeps his or her personal effects, and has a regular place of lodging. If a person has more than 1 residence, or if a wife has a residence separate from that of the husband, that place at which the person resides the greater part of the time shall be his or her official residence for the purposes of this act. This section shall not be construed to affect existing judicial interpretation of the term residence.

(h) “Student” means an individual enrolled on a full- or part-time basis in a public or private

educational institution, including but not limited to a secondary school, trade school, professional institution, or institution of higher education.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.723 Individuals required to be registered.

Sec. 3.

(1) Subject to subsection (2), the following individuals who are domiciled or temporarily reside in this state for 14 or more consecutive days, who work with or without compensation or are students in this state for 14 or more consecutive days, or who are domiciled, reside, or work with or without compensation or are students in this state for 30 or more total days in a calendar year are required to be registered under this act:

(a) An individual who is convicted of a listed offense after October 1, 1995.

(b) An individual convicted of a listed offense on or before October 1, 1995 if on October 1, 1995 he or she is on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, or under the jurisdiction of the juvenile division of the probate court or the department of social services for that offense or is placed on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, placed under the jurisdiction of the juvenile division of the probate court or family division of circuit court, or committed to the department of social services or family independence agency after October 1, 1995 for that offense.

(c) An individual convicted of an offense described in section 2(d)(xiii) on or before October 1, 1995 if on October 1, 1995 he or she is on probation or parole that has been transferred to this state for that offense or his or her probation or parole is transferred to this state after October 1, 1995 for that offense.

(d) An individual from another state who is required to register or otherwise be identified as a sex or child offender or predator under a comparable statute of that state.

(2) An individual convicted of an offense added on September 1, 1999 to the definition of listed offense is not required to be registered solely because of that listed offense unless 1 of the following applies:

(a) The individual is convicted of that listed offense on or after September 1, 1999.

(b) On September 1, 1999, the individual is on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, under the jurisdiction of the family division of circuit court, or committed to the family independence agency for that offense or the individual is placed on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, placed under the jurisdiction of the family division of circuit court, or committed to the family independence agency on or after September 1, 1999 for that offense.

(c) On September 1, 1999, the individual is on probation or parole for that offense which has been transferred to this state or the individual's probation or parole for that offense is transferred to this state after September 1, 1999.

(d) On September 1, 1999, in another state or country the individual is on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections or a similar type of state agency, under the jurisdiction of a court that handles matters similar to those handled by the family division of circuit court in this state, or committed to an agency with the same authority as the family independence agency for that offense.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1995, Act 10, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 .

28.724 Registration; procedures.

Sec. 4.

- (1) Registration of an individual under this act shall proceed as provided in this section.
- (2) For an individual convicted of a listed offense on or before October 1, 1995 who on or before October 1, 1995 is sentenced for that offense, has a disposition entered for that offense, or is assigned to youthful trainee status for that offense, the following shall register the individual by December 31, 1995:
 - (a) If the individual is on probation for the listed offense, the individual's probation officer.
 - (b) If the individual is committed to jail for the listed offense, the sheriff or his or her designee.
 - (c) If the individual is under the jurisdiction of the department of corrections for the listed offense, the department of corrections.
 - (d) If the individual is on parole for the listed offense, the individual's parole officer.
 - (e) If the individual is within the jurisdiction of the juvenile division of the probate court or the department of social services under an order of disposition for the listed offense, the juvenile division of the probate court or the department of social services.
- (3) Except as provided in subsection (4), for an individual convicted of a listed offense on or before October 1, 1995:
 - (a) If the individual is sentenced for that offense after October 1, 1995 or assigned to youthful trainee status after October 1, 1995, the probation officer shall register the individual before sentencing or assignment.
 - (b) If the individual's probation or parole is transferred to this state after October 1, 1995, the probation or parole officer shall register the individual within 14 days after the transfer.
 - (c) If the individual is placed within the jurisdiction of the juvenile division of the probate court or family division of circuit court or committed to the department of social services or family independence agency under an order of disposition entered after October 1, 1995, the juvenile division of the probate court or family division of circuit court shall register the individual before the order of disposition is entered.
- (4) For an individual convicted on or before September 1, 1999 of an offense that was added on September 1, 1999 to the definition of listed offense, the following shall register the individual:
 - (a) If the individual is on probation or parole on September 1, 1999 for the listed offense, the individual's probation or parole officer not later than September 12, 1999.
 - (b) If the individual is committed to jail on September 1, 1999 for the listed offense, the sheriff or his or her designee not later than September 12, 1999.
 - (c) If the individual is under the jurisdiction of the department of corrections on September 1, 1999 for the listed offense, the department of corrections not later than November 30, 1999.
 - (d) If the individual is within the jurisdiction of the family division of circuit court or committed to the family independence agency or county juvenile agency on September 1, 1999 under an order of disposition for the listed offense, the family division of circuit court, the family independence agency, or the county juvenile agency not later than November 30, 1999.
 - (e) If the individual is sentenced or assigned to youthful trainee status for that offense after

September 1, 1999, the probation officer shall register the individual before sentencing or assignment.

(f) If the individual's probation or parole for the listed offense is transferred to this state after September 1, 1999, the probation or parole officer shall register the individual within 14 days after the transfer.

(g) If the individual is placed within the jurisdiction of the family division of circuit court or committed to the family independence agency for the listed offense after September 1, 1999, the family division of circuit court shall register the individual before the order of disposition is entered.

(5) Subject to section 3(1) and (2), an individual convicted of a listed offense in this state after October 1, 1995 shall register before sentencing, entry of the order of disposition, or assignment to youthful trainee status. The probation officer or the family division of circuit court shall give the individual the registration form after the individual is convicted, explain the duty to register, verify his or her address, and provide notice of address changes, and accept the completed registration for processing under section 6. The court shall not impose sentence, enter the order of disposition, or assign the individual to youthful trainee status until it determines that the individual's registration was forwarded to the department as required under section 6.

(6) All of the following shall register with the local law enforcement agency, sheriff's department, or the department within 14 days after becoming domiciled or temporarily residing, working, or being a student in this state for the periods specified in section 3(1):

(a) Subject to section 3(1), an individual convicted in another state or country after October 1, 1995 of a listed offense as defined before September 1, 1999.

(b) Subject to section 3(2), an individual convicted in another state or country of an offense added on September 1, 1999 to the definition of listed offenses.

(c) An individual required to be registered as a sex offender in another state or country regardless of when the conviction was entered.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 .

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28.724a.added THIS ADDED SECTION IS EFFECTIVE OCTOBER 1, 2002

28.724a.added Status report to local law enforcement agency; requirements; reports; written documentation.

Sec. 4a.

(1) An individual required to be registered under this act who is not a resident of this state shall report his or her status in person to the local law enforcement agency or sheriff's department having jurisdiction over a campus of an institution of higher education, or to the department post nearest to that campus, if any of the following occur:

(a) Regardless of whether he or she is financially compensated or receives any governmental or educational benefit, the individual is or becomes a full- or part-time employee, contractual provider, or volunteer with that institution of higher education and his or her position will require that he or she be present on that campus for 14 or more consecutive days or 30 or more total days in a calendar year.

(b) The individual is or becomes an employee of a contractual provider described in subdivision (a) and his or her position will require that he or she be present on that campus for

14 or more consecutive days or 30 or more total days in a calendar year.

(c) The status described in subdivision (a) or (b) is discontinued.

(d) The individual changes the campus on which he or she is an employee, a contractual provider, an employee of a contractual provider, or a volunteer as described in subdivision (a) or (b).

(e) The individual is or enrolls as a student with that institution of higher education or the individual discontinues that enrollment.

(f) As part of his or her course of studies at an institution of higher education in this state, the individual is present at any other location in this state, another state, a territory or possession of the United States, or another country for 14 or more consecutive days or 30 or more total days in a calendar year, or the individual discontinues his or her studies at that location.

(2) An individual required to be registered under this act who is a resident of this state shall report his or her status in person to the local law enforcement agency or sheriff's department having jurisdiction where his or her new residence or domicile is located or the department post nearest to the individual's new residence or domicile, if any of the events described under subsection (1) occur.

(3) The report required under subsections (1) and (2) shall be made as follows:

(a) For an individual registered under this act before the effective date of the amendatory act that added this section and who is required to make his or her first report under subsections (1) and (2), not later than January 15, 2003.

(b) For an individual who is an employee, a contractual provider, an employee of a contractual provider, or a volunteer on that campus on the effective date of the amendatory act that added this section, or who is a student on that campus on the effective date of the amendatory act that added this section, who is subsequently required to register under this act, on the date he or she is required to register under this act.

(c) Except as provided under subdivisions (a) and (b), within 10 days after the individual becomes an employee, a contractual provider, an employee of a contractual provider, or a volunteer on that campus, or discontinues that status, or changes location, or within 10 days after he or she enrolls or discontinues his or her enrollment as a student on that campus including study in this state or another state, a territory or possession of the United States, or another country.

(4) The additional registration reports required under this section shall be made in the time periods described in section 5a(4)(a) and (b) for reports under that section.

(5) The local law enforcement agency, sheriff's department, or department post to which an individual reports under this section shall require the individual to present written documentation of employment status, contractual relationship, volunteer status, or student status. Written documentation under this subsection may include, but need not be limited to, any of the following:

(a) A W-2 form, pay stub, or written statement by an employer.

(b) A contract.

(c) A student identification card or student transcript.

History: Add. 2002, Act 542, Eff. Oct. 1, 2002 .

28.725 Notice to law enforcement agency.

Sec. 5.

(1) Within 10 days after any of the following occur, an individual required to be registered under this act shall notify the local law enforcement agency or sheriff's department having jurisdiction where his or her new residence or domicile is located or the department post of the individual's new residence or domicile:

(a) The individual changes his or her residence, domicile, or place of work or education, including any change required to be reported under section 4a.

(b) The individual is paroled.

(c) Final release of the individual from the jurisdiction of the department of corrections.

(2) Within 10 days after either of the following occurs, the department of corrections shall notify the local law enforcement agency or sheriff's department having jurisdiction over the area to which the individual is transferred or the department post of the transferred residence or domicile of an individual required to be registered under this act:

(a) The individual is transferred to a community residential program.

(b) The individual is transferred into a minimum custody correctional facility of any kind, including a correctional camp or work camp.

(3) An individual required to be registered under this act shall notify the department on a form prescribed by the department not later than 10 days before he or she changes his or her domicile or residence to another state. The individual shall indicate the new state and, if known, the new address. The department shall update the registration and compilation databases and promptly notify the appropriate law enforcement agency and any applicable sex or child offender registration authority in the new state.

(4) If the probation or parole of an individual required to be registered under this act is transferred to another state or an individual required to be registered under this act is transferred from a state correctional facility to any correctional facility or probation or parole in another state, the department of corrections shall promptly notify the department and the appropriate law enforcement agency and any applicable sex or child offender registration authority in the new state. The department shall update the registration and compilation databases.

(5) An individual registered under this act shall comply with the verification procedures and proof of residence procedures prescribed in sections 4a and 5a.

(6) Except as provided in subsection (7), an individual shall comply with this section for 25 years after the date of initially registering or, if the individual is in a state correctional facility, for 10 years after release from the state correctional facility, whichever is longer.

(7) An individual shall comply with this section for life if the individual is convicted of any of the following or a substantially similar offense under a law of the United States, any state, or any country or under tribal or military law:

(a) A violation of section 520b of the Michigan penal code, 1931 PA 328, MCL 750.520b.

(b) A violation of section 520c(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520c.

(c) A violation of section 349 of the Michigan penal code, 1931 PA 328, MCL 750.349, if the victim is less than 18 years of age.

(d) A violation of section 350 of the Michigan penal code, 1931 PA 328, MCL 750.350.

(e) A violation of section 145c(2) or (3) of the Michigan penal code, 1931 PA 328, MCL 750.145c.

- (f) An attempt or conspiracy to commit an offense described in subdivisions (a) to (e).
- (g) Except as provided in this subdivision, a second or subsequent listed offense after October 1, 1995 regardless of when any earlier listed offense was committed. An individual is not required to comply with this section for life if his or her first or second listed offense is for a conviction on or before September 1, 1999 for an offense that was added on September 1, 1999 to the definition of listed offense, unless he or she is convicted of a subsequent listed offense after September 1, 1999.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.725a.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2002

28.725a.amended Notice to registered individual; explanation of duties.

Sec. 5a.

(1) Not later than September 1, 1999, the department shall mail a notice to each individual registered under this act who is not in a state correctional facility explaining the individual's duties under this section and this act as amended and the procedure for registration, notification, and verification.

(2) Upon the release of an individual registered under this act who is in a state correctional facility, the department of corrections shall provide written notice to that individual explaining his or her duties under this section and this act as amended and the procedure for registration, notification, and verification. The individual shall sign and date the notice. The department of corrections shall maintain a copy of the signed and dated notice in the individual's file. The department of corrections shall forward the original notice to the department within 30 days, regardless of whether the individual signs it.

(3) Not later than January 15, 2000, an individual registered under this act who is not incarcerated shall report in person to the local law enforcement agency or sheriff's department having jurisdiction where he or she is domiciled or resides or to the department post in or nearest to the county where he or she is domiciled or resides. The individual shall present proof of domicile or residence and update any information that changed since registration, including information that is required to be reported under section 4a. An individual registered under this act who is incarcerated on January 15, 2000 shall report under this subsection not less than 10 days after he or she is released.

(4) Following initial verification under subsection (3), or registration under this act after January 15, 2000, an individual required to be registered under this act who is not incarcerated shall report in person to the local law enforcement agency or sheriff's department having jurisdiction where he or she is domiciled or resides or to the department post in or nearest to the county where he or she is domiciled or resides for verification of domicile or residence as follows:

(a) If the person is registered only for 1 or more misdemeanor listed offenses, not earlier than January 1 or later than January 15 of each year after the initial verification or registration. As used in this subdivision, "misdemeanor listed offense" means a listed offense that is any of the following:

(i) A violation of section 145a of the Michigan penal code, 1931 PA 328, MCL 750.145a, committed before June 1, 2002.

(ii) A violation of section 145c(4), 167(1)(f), or 448 of the Michigan penal code, 1931 PA 328, MCL 750.145c, 750.167, and 750.448.

(iii) A violation of section 335a of the Michigan penal code, 1931 PA 328, MCL 750.335a, other than a violation committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(iv) A violation of a local ordinance of a municipality substantially corresponding to a section described in subparagraph (i), (ii), or (iii).

(v) A violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age if the violation is not specifically designated a felony and is punishable by imprisonment for 1 year or less.

(vi) An attempt or conspiracy to commit an offense described in subparagraphs (i) to (v).

(vii) An offense substantially similar to an offense described in subparagraphs (i) to (vi) under a law of the United States, any state, or any country or under tribal or military law.

(b) If the person is registered for 1 or more felony listed offenses, not earlier than the first day or later than the fifteenth day of each April, July, October, and January following initial verification or registration. As used in this subdivision, "felony listed offense" means a listed offense that is any of the following:

(i) A violation of section 145a of the Michigan penal code, 1931 PA 328, MCL 750.145a, committed on or after June 1, 2002.

(ii) A violation of section 145b, 145c(2) or (3), 349, 350, 455, 520b, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.145b, 750.145c, 750.349, 750.350, 750.455, 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g.

(iii) A violation of section 335a of the Michigan penal code, 1931 PA 328, MCL 750.335a, committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(iv) A violation of a law of this state that by its nature constitutes a sexual offense against an individual who is less than 18 years of age if the violation is specifically designated a felony or is punishable by imprisonment for more than 1 year.

(v) An attempt or conspiracy to commit an offense described in subparagraphs (i) to (iv).

(vi) An offense substantially similar to an offense described in subparagraphs (i) to (v) under a law of the United States, any state, or any country or under tribal or military law.

(5) When an individual reports under subsection (3) or (4), an officer or authorized employee of the local law enforcement agency, sheriff's department, or department post shall verify the individual's residence or domicile and any information required to be reported under section 4a. The officer or authorized employee shall sign and date a verification form. The officer shall give a copy of the signed form showing the date of verification to the individual. The officer or employee shall forward verification information to the department by the law enforcement information network in the manner the department prescribes. The department shall revise the data bases maintained under section 8 as necessary and shall indicate verification in the compilation under section 8(2).

(6) An individual required to be registered under this act shall maintain either a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, with the individual's current address. The license or card may be used as proof of domicile or residence under this section. In addition, the officer or authorized employee may require the individual to produce another document bearing his or her name

and address, including but not limited to voter registration or a utility or other bill. The department may specify other satisfactory proof of domicile or residence.

(7) Not earlier than January 1, 2000 or later than January 15, 2000, an individual registered under this act who is not incarcerated shall report in person to a secretary of state office and have his or her digitized photograph taken. An individual registered under this act who is incarcerated on January 15, 2000 shall report under this subsection not less than 10 days after he or she is released. The individual is not required to report under this subsection if he or she had a digitized photograph taken for an operator's or chauffeur's license or official state personal identification card before January 1, 2000, or within 2 years before he or she is released. The photograph shall be used on the individual's operator's or chauffeur's license or official state personal identification card. The individual shall have a new photograph taken when he or she renews the license or identification card as provided by law. The secretary of state shall make the digitized photograph available to the department for a registration under this act.

(8) If an individual does not report under subsection (3) or (4) or section 4a, the department shall notify the local law enforcement agency, sheriff's department, or department post. An appearance ticket may be issued for the individual's failure to report as provided in sections 9a to 9g of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.9a to 764.9g.

(9) The department shall prescribe the form for the notices and verification procedures required under this section.

History: Add. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.726 Providing or forwarding copy of registration or notification.

Sec. 6.

(1) The officer, court, or agency registering an individual or receiving or accepting a registration under section 4 or receiving notice under section 5(1) shall provide the individual with a copy of the registration or notification at the time of registration or notice.

(2) The officer, court, or agency registering an individual or receiving or accepting a registration under section 4 or notified of an address change under section 5(1) shall forward the registration or notification to the department by the law enforcement information network within 3 business days after registration or notification.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 .

28.727.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2002

28.727.amended Registration form.

Sec. 7.

(1) A registration under this act shall be made on a form provided by the department and shall be forwarded to the department in the format the department prescribes. A registration shall contain all of the following:

(a) The individual's name, social security number, date of birth, and address or expected address. An individual who is in a witness protection and relocation program is only required to use the name and identifying information reflecting his or her new identity in a registration under this act. The registration and compilation databases shall not contain any information identifying the individual's prior identity or locale. The department shall request each individual to provide his or her date of birth if it is not included in the registration, and that individual shall comply with the request within 10 days.

- (b) A brief summary of the individual's convictions for listed offenses regardless of when the conviction occurred, including where the offense occurred and the original charge if the conviction was for a lesser offense.
- (c) A complete physical description of the individual.
- (d) The photograph required under section 5a.
- (e) The individual's fingerprints if not already on file with the department. An individual required to be registered on September 1, 1999 shall have his or her fingerprints taken not later than September 12, 1999 if not already on file with the department. The department shall forward a copy of the individual's fingerprints to the federal bureau of investigation if not already on file with that bureau.
- (f) Information that is required to be reported under section 4a.
- (2) A registration may contain the individual's blood type and whether a DNA identification profile of the individual is available.
- (3) The form used for registration or verification under this act shall contain a written statement that explains the duty of the individual being registered to provide notice of a change of address under section 5, the procedures for providing that notice, and the verification procedures under section 5a.
- (4) The individual shall sign a registration, notice, and verification. However, the registration, notice, or verification shall be forwarded to the department regardless of whether the individual signs it.
- (5) The officer, court, or an employee of the agency registering the individual or receiving or accepting a registration under section 4 shall sign the registration form.
- (6) An individual shall not knowingly provide [false](#) or misleading information concerning a registration, notice, or verification.
- (7) The department shall prescribe the form for a notification required under section 5 and the format for forwarding the notification to the department.
- (8) The department shall promptly provide registration, notice, and verification information to the federal bureau of investigation and to local law enforcement agencies, sheriff's departments, department posts, and agencies of other states requiring the information, as provided by law.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.728.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2002

28.728.amended Data base; compilation; availability.

Sec. 8.

- (1) The department shall maintain a computerized data base of registrations and notices required under this act.
- (2) The department shall maintain a computerized data base separate from that described in subsection (1) to implement section 10(2) and (3). The data base shall consist of a compilation of individuals registered under this act, but except as provided in this subsection, shall not include any individual registered solely because he or she had 1 or more dispositions for a listed offense entered under section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, in a case that was not designated as a case in which the individual was to be tried in the same manner as an adult under section 2d of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d. The exclusion for juvenile dispositions does not apply

to a disposition for a violation of section 520b or 520c of the Michigan penal code, 1931 PA 328, MCL 750.520b and 750.520c, after the individual becomes 18 years of age.

(3) The compilation of individuals shall be indexed numerically by zip code area. Within each zip code area, the compilation shall contain all of the following information:

(a) The name and aliases, address, physical description, and birth date of each individual registered under this act who is included in the compilation and who resides in that zip code area and any listed offense of which the individual has been convicted.

(b) The name and campus location of each institution of higher education to which the individual is required to report under section 4a.

(4) The department shall update the compilation with new registrations, deletions from registrations, and address changes at the same time those changes are made to the data base described in subsection (1). The department shall make the compilation available to each department post, local law enforcement agency, and sheriff's department by the law enforcement information network. Upon request by a department post, local law enforcement agency, or sheriff's department, the department shall provide to that post, agency, or sheriff's department the information from the compilation in printed form for the zip code areas located in whole or in part within the post's, agency's, or sheriff's department's jurisdiction. The department shall provide the ability to conduct a computerized search of the compilation based upon the name and campus location of an institution of higher education described in subsection (3)(b).

(5) The department shall make the compilation or information from the compilation available to a department post, local law enforcement agency, sheriff's department, and the public by electronic, computerized, or other similar means accessible to the post, agency, or sheriff's department. The electronic, computerized, or other similar means shall provide for both a search by name and by zip code.

(6) If a court determines that the public availability under section 10 of any information concerning individuals registered under this act, including names and aliases, addresses, physical descriptions, or dates of birth, violates the constitution of the United States or this state, the department shall revise the compilation in subsection (2) so that it does not contain that information.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.728a Electronic search by alias or mapping technologies; feasibility study.

Sec. 8a.

For the electronic, computerized, or other similar means under section 8, the department shall conduct a study to determine the feasibility of providing for a search by alias and of providing mapping technology to show an address. The study shall consider the costs, programming issues, and other similar issues. The department shall forward the study to the legislature not later than September 1, 2000.

History: Add. 1999, Act 85, Eff. Sept. 1, 1999 .

28.728b Compiling list of individuals not required to be registered under act; feasibility study.

Sec. 8b.

The department shall conduct a study of the feasibility of compiling a list of individuals

convicted of a listed offense before September 1, 1999 who are living and not required to be registered under this act and the feasibility of including the list, known addresses, and summary information in the compilation. The study shall include the records available for the information, costs, employee hours required, programming issues, time frame, and other similar issues. The department shall forward the study to the legislature not later than September 1, 2000.

History: Add. 1999, Act 85, Eff. Sept. 1, 1999 .

28.729.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2002

28.729.amended Violations; penalties.

Sec. 9.

(1) Except as provided in subsections (2) and (3), an individual required to be registered under this act who willfully violates this act is guilty of a felony punishable as follows:

(a) If the individual has no prior convictions for a violation of this act, other than a failure to comply with section 5a, by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(b) If the individual has 1 prior conviction for a violation of this act, other than a failure to comply with section 5a, by imprisonment for not more than 7 years or a fine of not more than \$5,000.00, or both.

(c) If the individual has 2 or more prior convictions for violations of this act, other than a failure to comply with section 5a, by imprisonment for not more than 10 years or a fine of not more than \$10,000.00, or both.

(2) An individual who fails to comply with section 5a is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

(3) An individual who willfully fails to sign a registration, notice, or verification as provided in section 7(4) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

(4) The court shall revoke the probation of an individual placed on probation who willfully violates this act.

(5) The court shall revoke the youthful trainee status of an individual assigned to youthful trainee status who willfully violates this act.

(6) The parole board shall rescind the parole of an individual released on parole who willfully violates this act.

(7) An individual's failure to register as required by this act or a violation of section 5(1), (3), or (4) may be prosecuted in the judicial district of any of the following:

(a) The individual's last registered address or residence.

(b) The individual's actual address or residence.

(c) Where the individual was arrested for the violation.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.730.amended THIS AMENDED SECTION IS EFFECTIVE OCTOBER 1, 2002

28.730.amended Confidentiality; exemption from disclosure; availability of information from compilation; violation as misdemeanor; penalty; civil cause of action; applicability of subsections (4) and (5) to compilation.

Sec. 10.

(1) Except as provided in this act, a registration or report under section 4a is confidential and information from that registration or report shall not be open to inspection except for law enforcement purposes. The registration or report and all included materials and information are exempt from disclosure under section 13 of the freedom of information act, 1976 PA 442, MCL 15.243.

(2) A department post, local law enforcement agency, or sheriff's department shall make information from the compilation described in section 8(2) for the zip code areas located in whole or in part within the post's, agency's, or sheriff's department's jurisdiction available for public inspection during regular business hours. A department post, local law enforcement agency, or sheriff's department is not required to make a copy of the information for a member of the public.

(3) The department may make information from the compilation described in section 8(2) available to the public through electronic, computerized, or other accessible means.

(4) Except as provided in this act, an individual other than the registrant who knows of a registration or report under this act and who divulges, uses, or publishes nonpublic information concerning the registration or report in violation of this act is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

(5) An individual whose registration or report is revealed in violation of this act has a civil cause of action against the responsible party for treble damages.

(6) Subsections (4) and (5) do not apply to the compilation described in section 8(2) or information from that compilation that is provided or made available under section 8(2) or under subsection (2) or (3).

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 .

28.731 Effective date.

Sec. 11.

This act shall take effect October 1, 1995.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

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28.732 Conditional effective date.

Sec. 12.

This act shall not take effect unless all of the following bills of the 87th Legislature are enacted into law:

(a) Senate Bill No. 193.

(b) Senate Bill No. 194.

(c) Senate Bill No. 400.

(d) House Bill No. 4601.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

Compiler's Note: The bills referred to in this section were enacted into law as follows:

Senate Bill No. 193 was filed with the Secretary of State July 13, 1994, and became P.A.

1994, No. 286, Eff. Oct. 1, 1995. Senate Bill No. 194 was filed with the Secretary of State

July 13, 1994, and became P.A. 1994, No. 287, Eff. Oct. 1, 1995. Senate Bill No. 400 was filed with the Secretary of State July 14, 1994, and became P.A. 1994, No. 294, Eff. Oct. 1, 1995. House Bill No. 4601 was filed with the Secretary of State December 22, 1994, and became P.A. 1994, No. 355, Eff. Oct. 1, 1995.