# Michigan State Police

Sex Offender Registration and Notification Act (SORNA)

## Required Offenses

- Sexual Acts and sexual contact offenses
- Specified offenses against minors
- Specified Federal Offenses and military offenses
- Attempts and Conspiracies

## Registration Tiers

- Tier I offenses:
  - A residual class that includes all offenses that do not satisfy the Tier II or Tier III requirements, such as misdemeanor registration offenses and child pornography.
- Tier II offenses:
  - Predicate offenses include most felonious sexual abuse or sexual exploitation crimes involving victims who are minors.

## Registration Tiers

- Tier III Offenses:
  - Predicate offenses generally encompass sexual assaults involving sexual acts regardless of victim age, sexual contact offenses against children below the age of 13, nonparental kidnapping of minors, and attempts or conspiracies to commit such offenses.

## Offenses Not Required

- Any offense involving consensual sexual conduct is excluded if the following apply:
  - The victim was at least 13 years of age at the time of the offense.
  - The offender is not more than 4 years older than the victim.
- Any offense committed by a juvenile under the age of 14.
- Any offense committed by a juvenile age 14-17 that is not a Tier 3 offense.

## Address Verification Frequency & Length of Registration

- Tier I Offender:
  - In-Person Address Verification: Yearly
  - Registration Length: 15 years
- Tier II Offender:
  - In-Person Address Verification: Bi-Yearly
  - Registration Length: 25 years
- Tier III Offender:
  - In-Person Address Verification: Quarterly
  - Registration Length: Lifetime

## Address Verification Frequency & Length of Registration

- Clean Record Provisions
  - Tier I adults
    - Duration reduced by 5 years if a clean record is maintained for 10 years.
  - Tier III juveniles
    - Registration terminated if a clean record is maintained for 25 years.

## Required Registration Information

- New Required Information
  - Complete Criminal History Information
  - Photocopy of valid driver's license or identification card
  - Employment Information
    - Including Professional Licensing Information
  - Internet Identifiers

## Required Registration Information

- New Required Information – Continued
  - Palmprints – submission to the FBI (Next Generation Identification Program)
  - Passport and Immigration Documents
  - Phone Numbers
  - Resident Address Information
    - If no permanent residence, location or description that identifies where the offender "habitually lives"
    - Temporary lodging information if away from residence more than 7 days.

## Website Requirements

- Search by:
  - Name
  - County, City, and/or Town
  - Zip Code
  - Geographic Radius
- Items that must be displayed:
  - Absconder Status
  - All sex offenses for which the offender has been convicted
  - Employer address
  - Name

## Website Requirements

- Items that must be displayed (continued):
  - Current photograph
  - Physical description
  - Address (including information about where the offender "habitually lives")
  - School name/address
  - Vehicle information

## Website Requirements

- Items that will not be displayed:
  - Victim identity
  - Any arrests not resulting in conviction
  - Social security number
  - Passport immigration documents
  - Employer's name
  - Internet identifiers
  - Phone numbers

## Keeping Registration Current

- SORNA requires an immediate, in-person update, if changes to any of the following:
  - Name
  - Residence
  - Employment
  - School

## Keeping Registration Current

- SORNA requires an immediate update, if changes to any of the following (in-person not required):
  - Internet Identifiers/phone numbers
  - Vehicle information
  - Temporary Lodging Information

## Keeping Registration Current

- International Travel
  - Notify residence jurisdiction 21 days in advance if they intend to travel outside of the United States.

## Retroactivity

- SORNA applies to all sex offenders, regardless of when they were convicted.
  - Recapture must occur in three situations:
    - Registered or required to register
    - Incarceration/Supervision
    - Re-entry in the criminal justice system because of a felony conviction

## Deadlines

- April 27, 2011- Submission to SMART office for substantial compliance
- July 27, 2011- Deadline for substantial compliance

## Penalties

- Failure to substantially implement SORNA by July 27, 2011 will result in a mandatory 10% reduction in Byrne Justice Assistance Grant funding.