

Maryland's Sex Offender Registration and Notification Act

Bringing Maryland's Sex
Offender Laws Up to
Federal Standards

2011 Update

In July 2011, the State of Maryland became compliant with the Sex Offender Registration and Notification Act, passed by Congress in 2006. To become compliant, the State made significant changes to its sex offender laws.

Tier III

**Must register every 3 months
for life**

Includes:

- Rape (all degrees)
- 1st, 2nd, and Aggravated 3rd Degree Sex Offense
- Sexual Abuse of a Minor
- Continuing Course of Conduct
- Kidnapping
- Incest
- Murder with Intent to Rape, Sexually Offend, or Sexually Abuse a Minor
- Forcible Sodomy, Forcible Perverted Practice (force has to be a finding on the record)
- All Attempts, Conspiracies, and Solicitations

Tier II

**Must register every 6 months for
25 years**

Includes:

- Abduction of a Child for Prostitution
- Distributing or Manufacturing Child Pornography
- Sexual Solicitation of a Minor
- Human Trafficking/Pandering
- Statutory 3rd Degree Sex Offenses where Force/Threat/Incapacitation not and element of the crime
- Crimes involving Prostitution/Sale of Children

Tier I

**Must register every 6 months for
15 years**

Includes:

- 4th Degree Sex Offense
- Possession of Child Pornography
- Visual Surveillance with Prurient Intent
- Various Federal Offenses that are not crimes in Maryland
- All Attempts, Conspiracies, and Solicitations

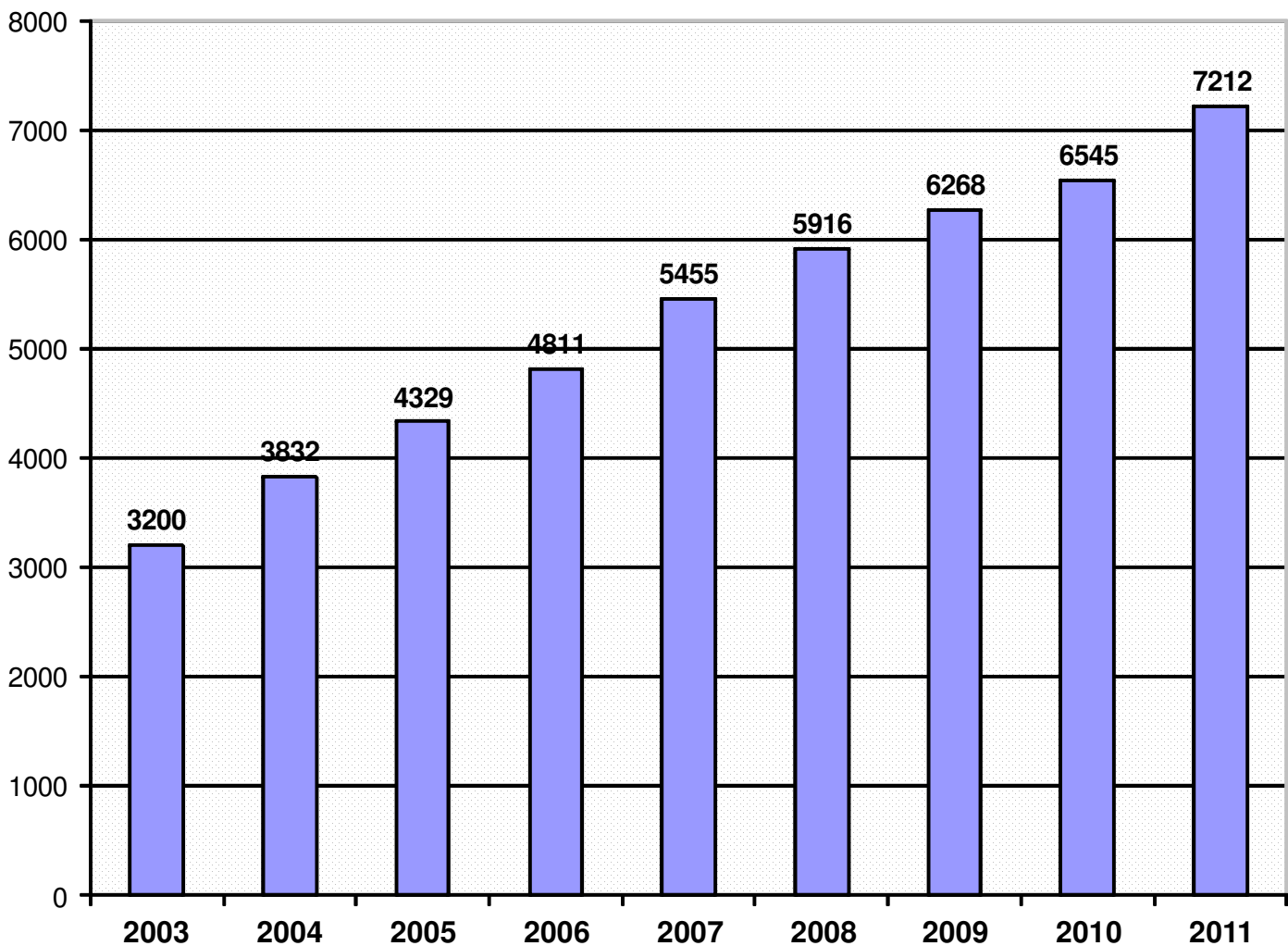
Registration

- All registrants must report all places where they "habitually live"
- All registrants must provide written notice when planning to be away from where they "habitually live" for more than 5 days
- Homeless registrants must register weekly unless their location can be verified, i.e. a shelter

Maryland Registered Sex Offenders August 1, 2012

<u>Offender Classification</u>	<u>Number of Registrants</u>	<u>Number of Noncompliant</u>	<u>Absconders</u>
Tier III	6594	209	162
Tier II	538	13	6
Tier I	869	26	14
Total	8001	248	182

Registered Sex Offenders by Year



**Juvenile Non-Public
Database**

- Juvenile offenders are now required to submit a DNA sample and fingerprints
- Must register every 3 months for the term of their juvenile probation
- Courts can extend the term of registration beyond probation
- Information kept in a non-public database that can only be accessed by law enforcement agencies and the Department of Juvenile Services

Retroactivity

The new registration requirements apply to anyone previously convicted of a sex offense.

The following people must register:

- Anyone under custody or supervision **for any crime** on October 1, 2010
- Anyone subject to registration on September 30, 2010
- Anyone convicted of **any felony** on or after Oct. 1, 2010 with a prior sex offense conviction

The term of registration is determined by the **new** requirements only, old requirements or any previous sentences do not determine registration.