PISCATAQUIS COUNTY SHERIFF'S OFFICE

POLICY NUMBER 9 – SEX OFFENDER COMMUNITY NOTIFICATION

Effective Date: 3/19/2019
Reviewed & Revised: 7/20/2026

DIVISION: Law Enforcement

I. PURPOSE

The purpose of this policy is to establish guidelines for public notification of registered sex offenders in the community and the appropriate level of that notification based on the nature of the sex offender's conviction and the facts that were proved or admitted in relation to that conviction.

II. POLICY

The Piscataquis County Sheriff's Office [PCSO] recognizes the necessity of maintaining the delicate balance among the offender's individual rights, the public's right to access this type of public information, and governmental interests. To simultaneously address and properly balance these interests and rights, all members of PCSO must adhere to the following guidelines. It is the policy of PCSO to comply with the Sex Offender Registration and Notification Acts of 1999, as amended (SORNA of 1999), and of 2013 (SORNA of 2013), including the provisions related to public notification of registered sex offenders in the community.

III. DISCUSSION

The Sex Offender Registration and Notification Act (SORNA) of 2013 applies to individuals who commit sex offenses or sexually violent offenses on or after January 1, 2013. The SORNA of 1999 applies to individuals sentenced for a sex offense or sexually violent offense after January 1, 1982, but the offense was committed before January 1, 2013. The relevant date for both the 1999 and 2013 versions of SORNA is the date the underlying crime was committed, not the date of sentencing.

IV. DEFINITIONS

Another State: SORNA of 1999) "Another state" means each of the several states except Maine, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands.
(SORNA of 2013) "Another state" means each of the several states except Maine, and includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa and the Northern Mariana Islands.

Bureau: (SORNA of 1999) Means the State Bureau of Identification. (SORNA of 2013) means the Department of Public Safety, Bureau of State Police, State Bureau of Identification.

Domicile: Means the place where a person has that person's established, fixed, permanent or ordinary dwelling place or legal residence to which, whenever the person is absent, the person has the intention of returning. A person may have more than one residence but only one domicile.

Law Enforcement Agency Having Jurisdiction: Means the chief of police in the municipality where a registrant or an offender expects to be or is domiciled. If the municipality does not have a chief of police, "law enforcement agency having jurisdiction" means the sheriff of the county where the municipality is located. "Law enforcement agency having jurisdiction" also means the sheriff of the county in an unorganized territory.

Lifetime Registrant (SORNA of 1999): Means a person who has complied with the initial duty to register under this chapter as an adult convicted and sentenced or a juvenile convicted and sentenced as an adult of a:

1. Sexually Violent Offense; or
2. Sex offense when the person has another conviction for or an attempt to commit an offense that includes the essential elements of a sex offense or sexually violent offense. For purposes of this paragraph, "another conviction" means:

a. For persons convicted and sentenced before September 17, 2005, a conviction for an offense for which sentence was imposed prior to the occurrence of the new offense; and
b. For persons convicted and sentenced on or after September 17, 2005, a conviction that occurred at any time. Convictions that occur on the same day may be counted as other offenses for the purposes of classifying a person as a lifetime registrant if:
(1) There is more than one victim; or
(2) The convictions are for offenses based on different conduct or arising from different criminal episodes.

Residence: Means that place or those places, other than a domicile, in which a person may spend time living, residing or dwelling. Proof that an offender has lived in the State for 14 days continuously or an aggregate of 30 days within a period of one year gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303, that the person has established a residence for the purposes of registration requirements imposed by this chapter.

Registrant: (SORNA of 1999) means a 10-year registrant or a lifetime registrant or, when appropriate, both a 10-year registrant and a lifetime registrant. (SORNA of 2013) means a Tier I registrant, Tier II registrant or Tier III registrant.

Safe Children Zone: Means on or within 1,000 feet of the real property comprising a public or private elementary or secondary school or on or within 1,000 feet of the real property comprising a day care center licensed pursuant to 22 M.R.S. § 8301-A.

Sentence: (SORNA of 1999) in addition to any punishment alternatives, includes an involuntary commitment under Title 15, section 103, or similar statute from another jurisdiction, following a verdict of not criminally responsible by reason of mental disease or defect or similar verdict in another jurisdiction. (SORNA of 2013) in addition to any punishment alternatives, includes an involuntary commitment under Title 15, section 103, or similar statute from another jurisdiction, following a verdict of not criminally responsible by reason of insanity or similar verdict in another jurisdiction.

Sexual Act: Means:
1. Any act between 2 persons involving direct physical contact between the genitals of one and the mouth or anus of the other, or direct physical contact between the genitals of one and the genitals of the other;
2. Any act between a person and an animal being used by another person which act involves direct physical contact between the genitals of one and the mouth, or anus of the other, or direct physical contact between the genitals of one and the genitals of the other, or;
3. Any act involving direct physical contact between the genitals or anus of one and an instrument or device manipulated by another person when that act is done for the purpose of arousing or gratifying sexual desire or for the purpose of causing bodily injury or offensive physical contact. A sexual act may be proved without allegation or proof of penetration.

Sexual Contact: Means any touching of the genitals or anus, directly or through clothing, other than as would constitute a sexual act, for the purpose of arousing or gratifying sexual desire or for the purpose of causing bodily injury or offensive physical contact.

Sex Offense (SORNA of 1999):
1. "Sex offense" means a conviction for one of the following offenses or for an attempt or solicitation of one of the following offenses if the victim was less than 18 years of age at the time of the criminal conduct:
a. A violation under former Title 17, §2922; former Title 17, §2923; former Title 17, § 2924; Title 17-A, § 253, subsection 2, paragraph E, F, G, H, I or J; Title 17-A, § 254; former Title 17-A, §255, subsection 1, paragraph A, E, F, G, I or J; former Title 17-A, §255, subsection 1, paragraph B or D if the crime was not elevated a class under former Title 17-A, §255, subsection 3; Title 17-A, §255-A, subsection 1, paragraph A, B, C, F-2, G, I, J, K, L, M, N, Q, R, S or T; Title 17-A, §256; Title 17-A, §258; Title 17-A, §259; Title 17-A, §282; Title 17-A, §283; Title 17-A, §284; Title 17-A, §301, subsection 1, paragraph A, subparagraph (3), unless the actor is a parent of the victim; Title 17-A, §511, subsection 1, paragraph D; Title 17-A, §556; Title 17-A, §852, subsection 1, paragraph B; or Title 17-A, §855;
b. A violation in another jurisdiction that includes the essential elements of an offense listed in paragraph B; or
c. A conviction for a military, tribal or federal offense requiring registration pursuant to:
1. The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, also known as the Jacob Wetterling Act, Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, as amended; or
2. The Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248.
2. Sex offense; after October 1, 2011. For persons convicted and sentenced on or after October 1, 2011, "sex offense" means, in addition to the offenses listed in subsection 6, a conviction for one of the following offenses or for an attempt or solicitation of one of the following offenses, without regard to the age of the victim:
a. Title 17-A, §253, subsection 2, paragraphs J, K and L and Title 17-A, §255-A, subsection 1, paragraphs C, G, Q, R, R-1, R-2, W and X;
b. A violation in another jurisdiction that includes the essential elements of an offense listed in paragraph A; or
c. A conviction for a military, tribal or federal offense requiring registration pursuant to:
1. The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, also known as the Jacob Wetterling Act, Section 170101 of the Violent Crime Control

and Law Enforcement Act of 1994, Public Law 103-322, as amended; or
2. The Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248.
3. Sex offense; after October 1, 2012. For persons convicted and sentenced on or after October 1, 2012, "sex offense" means, in addition to the offenses listed in subsections 6 and 6-A:
a. A conviction for an offense under Title 17-A, §259-A or for an attempt or conspiracy to commit an offense under Title 17-A, §259-A;
b. A violation in another jurisdiction that includes the essential elements of an offense listed under Title 17-A, §259-A; or
c. A conviction for a military, tribal or federal offense requiring registration pursuant to:
1. The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, also known as the Jacob Wetterling Act, Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, as amended; or
2. The Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248.

Sex Offender Restricted Zone: Means the real property comprising a public or private elementary or middle school; the real property comprising a child care center, a child care facility, a day care operated by a family child care provider, a nursery school or a small child care facility as defined under Title 22, section 8301-A; or an athletic field, park, playground, recreational facility, youth camp licensed under Title 22, section 2495 or other place where children are the primary users.

Sexual Assault Response Team (SART): Means a response team organized through Maine sexual assault support centers to promote a multidisciplinary collaboration and to create and maintain an effective victim-centered response to sexual violence. This team includes, but is not limited to, representatives from law enforcement agencies, Offices of the District Attorneys', medical personnel, and Maine sexual assault support centers.

Sexually Violent Offense (SORNA of 1999): Means:
1. A conviction for one of the offenses or for an attempt to commit one of the offenses under former Title 17-A, §252; under Title 17-A, §253, subsection 1; Title 17-A, §253,subsection 2, paragraph A, B, C or D; former Title 17-A, §255, subsection 1, paragraph C or H; former Title 17-A, §255, subsection 1, paragraph B or D, if the crime was elevated a class under former Title 17-A, §255, subsection 3; Title 17-A, §255-A, subsection 1, paragraph D, E, E-1, F, F-1, H, O or P; or
2. A conviction for an offense or for an attempt to commit an offense of the law in another jurisdiction that includes the essential elements of an offense listed above.
3. A conviction for a military, tribal or federal offense requiring registration pursuant to:
a. The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, also known as the Jacob Wetterling Act, Section 170101 of the Violent Crime Control and Law Enforcement Act of 1994, Public Law 103-322, as amended; or
b. The Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248.

Ten-year Registrant (SORNA of 1999): Means a person who has complied with the initial duty to register under this chapter as an adult convicted and sentenced or a juvenile convicted and sentenced as an adult of a sex offense.

Tier I offense (SORNA of 2013): Means a conviction for a Class E or Class D crime under the

following or for an attempt, solicitation or conspiracy to commit a Class E, Class D or Class C crime under the following if the victim was less than 18 years of age at the time of the criminal conduct unless otherwise specified:
1. Title 17-A, chapter 11 including the following:
a. Title 17-A, §255-A, subsection 1, paragraph C, regardless of the age of the victim.
b. Title 17-A, §255-A, subsection 1, paragraph F-2, regardless of the age of the victim.
c. Title 17-A, §255-A, subsection 1, paragraph G, regardless of the age of the victim.
d. Title 17-A, §255-A, subsection 1, paragraph Q, regardless of the age of the victim.
e. Title 17-A, §255-A, subsection 1, paragraph W, regardless of the age of the victim.
f. Title 17-A, §255-A, subsection 1, paragraph X, regardless of the age of the victim.
2. Title 17-A, chapter 12.
3. Title 17-A, §511, subsection 1, paragraph D, regardless of the age of the victim.
4. Title 17-A, §556, subsection 1, paragraph A, regardless of the age of the victim.
5. Title 17-A, §855, subsection 1, paragraph A A military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151.

If, pursuant to another jurisdiction's sex offender registration statute, the registration period is a period of up to 10 years or if the sex offender was not required to register in that other jurisdiction but the crime includes the essential elements of an offense included in this subsection, the crime is a Tier I offense.

"Tier I offense" does not include unlawful sexual contact under Title 17-A, section 255-A, subsection 1, paragraph U or unlawful sexual touching under Title 17-A, section 260.

Tier II offense (SORNA of 2013): Means a conviction for a Class C crime under the following, or for an attempt, solicitation or conspiracy to commit a Class B crime under the following, if the victim was less than 18 years of age at the time of the criminal conduct unless otherwise specified:
1. Title 17-A, chapter 11 including the following:
    a. Title 17-A, §253, subsection 2, paragraph J, if the victim had attained 18 years of age at the time of the offense.
    b. Title 17-A, §253, subsection 2, paragraph K, regardless of the age of the victim.
    c. Title 17-A, §253, subsection 2, paragraph L, regardless of the age of the victim.
    d. Title 17-A, §255-A, subsection 1, paragraph J, regardless of the age of the victim.
    e. Title 17-A, §255-A, subsection 1, paragraph R-1, regardless of the age of the victim.
    f. Title 17-A, §255-A, subsection 1, paragraph R-2, regardless of the age of the victim.
    g. Title 17-A, section 258, subsection 1-A, if the victim had not attained 12 years of age.
2. Title 17-A, chapter 12.
3. Title 17-A, §855, subsection 1, paragraph B.
4. A military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151.

If, pursuant to another jurisdiction's sex offender registration statute, the registration period is a period of more than 10 years but less than 26 years or if the sex offender was not required to register in that other jurisdiction but the crime includes the essential elements of an offense included in this subsection, the crime is a Tier II offense.

"Tier II offense" does not include unlawful sexual contact under Title 17-A, section 255-A, subsection 1, paragraph V or unlawful sexual touching under Title 17-A, section 260.

Tier III offense (SORNA of 2013): Means a conviction for a Class B or Class A crime under the following or for an attempt, solicitation or conspiracy to commit a Class A crime under the following:
1. Title 17-A, chapter 11.
2. Title 17-A, chapter 12.
3. Title 17-A, §301, subsection 1, paragraph A, subparagraph (3).
4. Title 17-A, §852, subsection 1.
5. A military, tribal or federal offense requiring registration pursuant to the federal Adam Walsh Child Protection and Safety Act of 2006, Public Law 109-248, 42 United States Code, Chapter 151.

If, pursuant to another jurisdiction's sex offender registration statute, the registration period is a period of more than 25 years or if the sex offender was not required to register in that other jurisdiction but the crime includes the essential elements of an offense included in this subsection, the crime is a Tier III offense.

Tier I registrant (SORNA of 2013): Means a person who is an adult convicted and sentenced or a juvenile convicted and sentenced as an adult for a Tier I offense.

Tier II registrant (SORNA of 2013): Means a person who is an adult convicted and sentenced or a juvenile convicted and sentenced as an adult for a Tier II offense.

Tier III registrant (SORNA of 2013): Means a person who is an adult convicted and sentenced or a juvenile convicted and sentenced as an adult for a Tier III offense or as provided for under section 11285, subsection 7.

Verification Form: Means a form provided by the Bureau for convicted sex offenders in one of the following categories:
1. Verification for a person sentenced on or after September 18, 1999.
2. Verification for a person sentenced on or after January 1, 1982 and prior to September 18, 1999 who is a 10-year registrant.
3. Verification for a person sentenced on or after January 1, 1982 and prior to September 18, 1999 who is a lifetime registrant.
4. Verification for a person required to register in another jurisdiction (See Appendix #4)

V. PROCEDURE – Registration and Notification

Appendix 2 of this policy summarizes the Bureau's procedures with respect to registrants and law enforcement agencies, summarizes registrant obligations under the Sex Offender Registration and Notification Acts, and summarizes law enforcement involvement in the registration and verification process. Appendices 3, 4, and 5 are examples of Bureau forms that an Deputy will see when a registrant registers with the local law enforcement agency. (See Appendices 2, 3, 4, and 5.)

VI. PROCEDURE - Institutions Releasing Sex Offenders

This section of the policy, found in Appendix 6, provides Deputies with an opportunity to understand the requirements that the State Department of Corrections, county jails, and state mental health institutions that have custody of persons required to register under the law must meet. This section summarizes the release procedures. (See Appendix 6.)

VII. PROCEDURE – The Chief Law Enforcement Deputy (Sheriff)

A. Extent of Notification
The SHERIFF shall notify community members of registrants in the community, including those in Safe Children Zone and Sex Offender Restricted Zones, as well as notification to the appropriate Sexual Assault Support Centers, as the SHERIFF deems appropriate. The extent of notification is based on the nature of the registrant's conviction and whether the person is required to register as a Lifetime Registrant, Ten-Year Registrant, Tier I, Tier II, or Tier III Registrant. It is also based on the agency's investigative findings related to the nature of the conviction, which includes the elements of the offense(s) for which the registrant was convicted, and any facts alleged in the charging instrument, including, but not limited to, the age of the victim, which were proven or admitted to by the registrant. For example, community notification of a Lifetime Registrant, a Tier II, or a Tier III Registrant should be made to the community to the greatest extent reasonably possible, using the means of notification described below in paragraph B. The extent of community notification of a Ten-year Registrant or Tier I Registrant should be determined on a case-by-case basis, considering factors such as the elements of the offense for which the registrant was convicted, and any facts alleged in the charging instrument, including, but not limited to, the age of the victim, which were proven or admitted to by the registrant. The SHERIFF should coordinate the community notification with the SHERIFF of each surrounding jurisdiction in which the registrant resides, works, or attends school or college. The SHERIFF shall seek guidance from the Office of the District Attorney for any violation of the Sex Offender Registration and Notification Acts or the rules adopted pursuant to the Act.
B. Means of Notification: The following methods of notification, which are not intended to be all-inclusive, should be considered as a means of notifying the community: News media, e.g., newspapers, television, and radio. Informational leaflets that provide general information about registered sex offenders in the community, e.g., "Guide for Community Notification of Sex Offenders." Personal notification, such as door-to-door notification in Safe Children Zones and Sex Offender Restricted Zones. Notification in the form of public postings at the police station or other designated community locations. Community forum, which should include Sexual Assault Support Centers, law enforcement, probation Deputies, the Office of the District Attorney, and sex offender treatment providers. Any other means of notification deemed appropriate by the SHERIFF for the particular circumstances to ensure public safety. Website: Only the Bureau may maintain an online sex offender registry for purposes of public access. A law enforcement agency may maintain its own sex offender website and may make that information available for use by the public if a notice is prominently posted on the website that expressly states that the website is not the official state sex offender registry under and that the law enforcement agency posting the website is solely responsible for the website's content; the website provides a link to the Bureau's sex offender registry under; the website contains information regarding only registrants who are domiciled, reside, attend college or school or

work within the posting law enforcement agency's jurisdiction; and the information on the website is updated by the law enforcement agency as frequently as available resources permit, but no less than every seven (7) days. The law enforcement agency shall also prominently post on its website the date and time of the most recent update.

C. Contents of Notification:

The Sheriff or designee may notify the community of public information regarding a registrant living, attending college or school, or working in the community. The following information may be obtained from the Bureau website and may be provided to the public:

Ten-year or lifetime registrant (SORNA 1999):

1) The registrant's name, date of birth, and photograph.
2) The registrant's city or town of domicile and residence;
3) The registrant's place of employment and college or school being attended, if applicable, and corresponding address and location.
4) The statutory citation and name of the offense for which the registrant was convicted; and
5) The registrant's designation as a 10-year registrant or a lifetime registrant.
6) A Guide for Community Notification of Sex Offenders.

Tier I, Tier II, or Tier III registrant (SORNA 2013):

1) The registrant's name, aliases, date of birth, and a current photograph.
2) The registrant's city or town of domicile and residence;
3) The registrant's place of employment and college or school being attended, if applicable, and corresponding mailing address and physical location.
4) The statutory citation and name of the offense for which the registrant was convicted;
5) Whether the registrant is a Tier I registrant, a Tier II registrant, or a Tier III registrant;
6) Verification requirements and date of last verification; and
7) The registrant's address and its location on a map.
8) A Guide for Community Notification of Sex Offenders.

D. Notification of Registrant by Deputy:

Deputies of this agency who become aware of a person who has been convicted of a sex offense or sexually violent offense in this state or another jurisdiction and who is now domiciled, employed, residing, or attending school or college in this state shall notify the assigned investigating LEO to determine if the person is required to register. Deputies are encouraged to contact the assigned investigating LEO if they have any questions regarding any registrant, any provision about the requirements of the Sex Offender Registration and Notification Act, or want to obtain a copy of any of the forms regarding this Act.

E. Whenever this agency becomes aware of a suspected violation of the Sex Offender Registration and Notification Act, the agency shall investigate the matter and notify the Office of the District Attorney for consideration of prosecution.

F. This agency shall forward a copy of this policy to the Maine Criminal Justice Academy, as well as the Bureau (SBI).

VIII. PROCEDURE – The Assigned Investigating Law Enforcement Deputy

A. The Deputy assigned by the SHERIFF shall be the designated contact person and shall verify the information on the Verification Form. The Deputy shall also complete the Verification Form and mail it back to the Bureau. The Deputy should use a checklist such as the one reflected in Appendix 1 and review the information regarding "Frequently Asked Questions" in Appendix 2.

The SHERIFF should notify the Bureau of the designated contact person's name.
B. The Deputy shall confer with the charging agency for pertinent case history, including any facts alleged in the charging instrument that were proved or admitted.
C. The Deputy shall conduct a background investigation on the registrant to determine other pertinent facts, including, but not limited to, results of NCIC, Triple III, and SBI checks, and shall also attempt to obtain a current photograph.
D. The Deputy shall contact the registrant's probation Deputy regarding any conditions of release, any risk assessment tool used by the probation Deputy, and/or other important investigative information regarding the registrant.
E. The Deputy should interview the registrant.
F. The Deputy should obtain and verify new work locations, supervisor's name(s), and names of friends with current addresses and telephone numbers, names of family members with current addresses and telephone numbers, and any other relevant information.
G. The Deputy shall verify the addresses and telephone numbers of family friends with the initial information and correct any discrepancies.
H. The Deputy shall create a file on each registrant.
I. The Deputy shall prepare a report for the SHERIFF summarizing the investigative findings.

IX. PROCEDURE – All Law Enforcement Deputies of This Agency

A. Generally, the Deputy assigned by the SHERIFF to handle the investigation will be the person who verifies the information on the Verification Form. If the assigned Deputy is unavailable, any Deputy of this agency is responsible for completing a Verification Form on Ten-Year and Tier I Registrants annually, Tier II Registrants semiannually, and Lifetime and Tier III Registrants every 90 days. The registrant will have obtained the Verification Form from the Bureau and should have brought it to the agency.
B. This agency shall be required to verify the information and complete the Verification Form, including verifying a current photograph and obtaining fingerprints of the registrant. The completed Verification Form, a photograph, and a $25 fee for annual registrants must be sent to the Bureau by this agency. The Deputy should obtain a full set of fingerprints and a current photograph for agency records.
C. The law requires registrants from other states to notify the Bureau in this state if the registrant becomes domiciled, employed, or attends school or college in this state. The Bureau shall notify the law enforcement agency that has jurisdiction in the same manner as a registrant convicted and sentenced in this state.
D. Deputies of this agency who become aware of a person who has been convicted of a sex offense or sexually violent offense in another state and who is now domiciled, employed, residing, or attending school or college in this state shall notify the Bureau to determine if the person is required to register. The Bureau has different forms for initial registration for persons convicted out of state. Once registered, in-person verification forms for persons convicted in- and out-of-state are the same. All Deputies are required to treat out-of-state sex offenders who are required to register in the same manner as sex offenders originating from the State of Maine.
E. Deputies are encouraged to contact the Bureau if they have any questions regarding any registrant, any provision about the requirements of the Sex Offender Registration and Notification Acts or to obtain a copy of any of the forms regarding the Act. Contact can be made at the Bureau at the State Bureau of Identification, 45 Commerce Drive, Augusta, Maine 04333-

0042, http://www.maine.gov/dps/Sbi/, or (207)624-7240.

X. PROCEDURE - Immunity From Liability

The Sex Offender Registration and Notification Acts include the following immunity provision:
A. Neither the failure to perform the requirements of this chapter nor compliance with this chapter subjects any state, municipal, or county official or employee to liability in a civil action.
B. The immunity provided under this section applies to the release of relevant information to other officials or employees or to the general public.

Sheriff Robert Young

Appendix 1

REGISTERED SEX OFFENDER INVESTIGATIVE CHECK LIST

Registered Sex Offender: _____ Incident Number: _____
Home Address: _____ Home Tel. #: _____ Cell Tel. #:_____
Work Address: _____ Work Tel. #: _____ Other Tel. #:_____
School and address attending or expecting to attend: _____

☐ SORNA 1999 10-Year Registrant ☐ SORNA 1999 Lifetime Registrant

☐ SORNA Tier I Registrant ☐ SORNA Tier II Registrant ☐ SORNA Tier III Registrant

☐ Registrant is an adult or a juvenile convicted as an adult: _____

☐ Possesses Sex Offender Registry Verification Form: _____

☐ Contact SBI if Registrant doesn't have a Sex Offender Reg. Verification Form: _____

☐ Is Registrant required to complete a ☐90-Day ☐ 180-Day ☐ 1 Year Verification Form: _____

☐ Contact charging agency/Deputy for background information: _____

☐ Contact Sex Offender's Probation Deputy for Probation Conditions: _____

☐ Request SBI/NCIC III: _____

☐ Interview Registrant: _____

☐ Obtain current photograph: _____

☐ Obtain a set of fingerprints: _____

☐ Verify Registrant's address & telephone number by contacting family members, friend(s), and employer(s):_____

☐ Establish a periodic reporting method for the Registrant: _____

☐ Summary report for SHERIFF:

_____

☐ Produce a Neighborhood Notification Information Sheet: _____

☐ Form a Registrant Neighborhood Notification plan: _____

☐ Conduct a Registrant Neighborhood Notification: _____

☐ Add Registrant to agency's computer database: _____

☐ Establish an agency file for the Registrant: _____

☐ Advise Sexual Assault and Crisis Support Center: _____

Notes:

_____

_____

_____

_____

Investigator: _____ Date: _____

Appendix 2

BASIC SEX OFFENDER REGISTRATION INFORMATION[1]

1. Who is responsible for the Sex Offender Registry (SOR)?
   The Sex Offender Registry is run by the State Bureau of Identification, which is a division in the Maine State Police. You can reach the Registry at 624-7270.

2. How do you tell if the person is a Registrant under SORNA of 1999 or under SORNA of 2013?
   SORNA of 2013 (Title 34-A, Chapter 17) is unusual in that it did not replace SORNA of 1999 (Title 34-A, Chapter 15). Both chapters now exist and which SORNA applies is based on the date the sexual offense was committed.
   The Sex Offender Registration and Notification Act of 2013 applies to persons who commit a qualifying sex offense requiring registration on or after January 1, 2013. A person who is required to register because of a crime committed before January 1, 2013 is subject to SORNA of 1999, and any failure to comply must be prosecuted under SORNA of 1999 (34-A M.R.S. § 11227), even if the failure to comply occurs on/after January 1, 2013. **The controlling date is the date that the underlying crime was committed, not the date of sentence, and not the date of the failure to comply.**

3. Who has to register?
   Registration with Sex Offender Registry (SOR) is required when:
   a. The person is sentenced after January 1, 1982 in the State of Maine for a qualifying offense designated in SORNA of 1999 as a "sex offense" (34-A M.R.S. § 11203(6), §11203(6-A), or § 11203(6-B)); or a "sexually violent offense" (34-A M.R.S. § 11203(7)); in SORNA of 2013 as "Tier I offense" (34-A M.R.S. § 11273(14)), a "Tier II offense" (34-A M.R.S. § 11273(15)), or a "Tier III offense" (34-A M.R.S. § 11273(16));
   b. The person is sentenced out of state and registration is required by that jurisdiction.
   c. The person is convicted out of state of a crime that has "the essential elements" of a Maine offense that would require registration;
   d. The person was convicted of a military, federal or tribal offense that requires registration.

4. What is the difference between "registration" and "verification"?
   a. A person must "register" or provide information to the SOR and local law enforcement. The registration term is the period of time, after the conviction and after being provided notice of the duty to register, that the person must provide the required information to the SOR. The registration period, such as 10 years, 25 years or lifetime, depends upon the conviction or number of convictions. During that time, the individual must ensure that the required information is provided to the SOR and the law enforcement agency having jurisdiction.

[1] This is a very brief and simple overview of basic sex offender registration procedures and requirements. Before relying on the information provided, please confirm with the Sex Offender Registry or the statutes to ensure that the procedure or requirement has not changed.

b. Verification is the form sent out at 3 month, 6 month or yearly intervals by the SOR to the Registrant. The Registrant has to return the form within 5 days. The Registrant is responsible to verify that the Registry's registration information is accurate. Verification can be "in person" which requires the Registrant to go to the law enforcement agency having jurisdiction. The law enforcement agency having jurisdiction must verify the registrant's identity, have the registrant sign the verification form, take the registrant's fingerprints, complete the law enforcement portion of the verification form and immediately forward the fingerprints, photograph and form to the bureau. Verification can be "in writing" for qualified registrants convicted before 1999 and the Registrant returns the form without having to go to the local law enforcement agency.

5. Who is responsible to tell the person of the registration duties and ensuring initial registration?
    a. The Courts at the time of conviction, if the person is not incarcerated;
    b. The jail or Department of Correction if the person is incarcerated;
    c. Riverview if the person has been committed there;
    d. The SOR or any law enforcement agency.

    The agency then has 3 days to forward the initial registration information to the SOR.

6. Who notifies the law enforcement agency having jurisdiction when a Registrant has a residence, attends school, or employment in the area?
    a. The Registrant is responsible to tell the law enforcement agency having jurisdiction within 24 hours of beginning residence, school or employment in the area. That agency is to report that information to the SOR within 3 days;
    b. The SOR notifies the jurisdictional law enforcement agencies (local municipal police, Sheriff's Office, Office of the District Attorney, State Police CID and the area State Police Troop) within the jurisdiction of the registrant's domicile, residence, mailing address, work and school/college. The notification includes a risk assessment (if available) for SORNA 1999 registrants.

7. When does a person become a resident?
    a. A residence is a place or places, other than a domicile, in which a person may spend time living, residing or dwelling. If the offender has lived in the State for 14 days continuously or an aggregate of 30 days within a period of one year, the creates a permissible inference that the person has established a residence for the purposes of registration requirements.

8. Does a Registrant have to pay any money?
    a. Registration requirement includes a fee of $25.00 per year, payable to "Treasurer State of Maine" and a current (must be less than 6 months old) colored passport quality photograph (2¾ X 2½ inches).

9. How often does a Registrant have to verify?
    a. For SORNA of 1999:
        - 10 year registrants have to verify once a year.
        - Lifetime registrants have to verify every 90 days.

b. For SORNA of 2013:
    - Tier I registrants have to register once a year.
    - Tier II registrants have to register every 180 days.
    - Tier III registrants have to register every 90 days.

10. What if the Registrant moves or changes address?
    a. The Registrant must report to the law enforcement agency having jurisdiction within 24 hours any change in the following conditions: domicile, residence, work, or school. **Note**: The SOR has created a form but it will also accept a handwritten, signed letter.
    b. The SORNA of 1999 Registrant must report to the SOR within 5 days any change in the following conditions: domicile, residence, work and school/college. This notification is required in writing and if the registrant is being released from incarceration, a written notification is also required.
    c. The SORNA of 2013 Registrant must report to the SOR within 3 days any change in the following conditions: domicile, residence, work and school/college. This notification is required in writing and if the registrant is being released from incarceration, a written notification is also required.

11. If a Registrant has been incarcerated, does the SOR have to be notified when released?
    Yes. If a Registrant has been held at the Department of Corrections, a jail, or a state mental institute, the SOR must be notified when the person is "conditionally released" or released. The facility must provide the SOR the following information:
    a. The Registrant's domicile and residence (please include a mailing address),
    b. The work and school address, and
    c. If a conditional release, the area to which the release is limited.

12. What does a Registrant have to provide to the SOR?
    a. The Registrant under SORNA of 1999 must provide:
        1. The registrant's name, aliases, date of birth, sex, race, height, weight, eye color, mailing address and physical location of expected domicile and residence;
        2. Place of employment and college or school being attended, if applicable, and the corresponding address and location;
        3. Offense history;
        4. Notation of any treatment received for a mental abnormality or personality disorder;
        5. A photograph and set of fingerprints;
        6. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed; and
        7. Any other information the bureau determines important.
    b. The Registrant under SORNA of 2013 must provide:
        1. The registrant's name, aliases, date of birth, sex, race, height, weight, eye color, land line and cellular telephone numbers, Internet identifiers, mailing address and physical location of expected domicile and residence. For purposes of this paragraph, "Internet identifiers" means e-mail addresses and

other designations used for self-identification or routing in Internet communication or posting;
2. Place of employment and college or school being attended, if applicable, and the corresponding mailing address and physical location;
3. Offense history;
4. A current photograph and set of fingerprints;
5. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed;
6. Whether the registrant is a Tier I registrant, Tier II registrant or Tier III registrant;
7. A copy of any driver's license information and copy of the driver's license;
8. A copy of any professional license;
9. Passport and immigration documents and social security number;
10. Temporary lodging and dates of travel;
11. Information about motor vehicles owned, leased or used and registration and location of those motor vehicles. For purposes of this paragraph, "lease" means a transfer of the right to possession and use of a motor vehicle for a term of 30 days or more in return for consideration; and
12. Any other information the bureau determines important.

13. <u>When must the Registry post and what information must be posted by the Registry on the Internet?</u>
Until the Bureau receives at a minimum, a signed initial registration form, individuals cannot be made active or displayed on the Sex Offender Registry website.
    a. The Registry must provide for a SORNA of 1999 registrant:
        1. The registrant's name, date of birth and photograph;
        2. The registrant's city or town of domicile and residence;
        3. The registrant's place of employment and college or school being attended, if applicable, and the corresponding address and location;
        4. The statutory citation and name of the offense for which the registrant was convicted; and
        5. The registrant's designation as a 10-year registrant or a lifetime registrant.
    b. The Registry must provide for a SORNA of 2013 registrant:
        1. The registrant's name, aliases and date of birth and a current photograph;
        2. The registrant's city or town of domicile and residence;
        3. The registrant's place of employment and college or school being attended, if applicable, and the corresponding mailing address and physical location;
        4. The statutory citation and name of the offense for which the registrant was convicted;
        5. Whether the registrant is a Tier I registrant, a Tier II registrant or a Tier III registrant;
        6. Verification requirements and date of last verification; and
        7. The registrant's address and its location on a map.
    c. For any registrant, after receiving a written request that includes the name and date of birth of a registrant, the bureau shall provide the following information concerning a registrant to the requestor
        1. The registrant's name, aliases, date of birth, sex, race, height, weight, eye

color, mailing address and physical location of domicile and residence (by map);
2. The registrant's place of employment and college or school being attended, if applicable, and the corresponding mailing address and physical location;
3. A description of the offense for which the registrant was convicted, the date of conviction and the sentence imposed; and
4. The registrant's photograph.

d. In addition, the SOR has established an e-mail notification system to alert a member of the public who has subscribed annually to the e-mail notification system when a registrant moves into the subscriber's geographic area. BY STATUTE, THIS ONLY APPLIES TO 2013 REGISTRANTS.

14. What other laws/restrictions are based on commission of sex offenses?
    a. Failure to comply with Sex Offender Registration statutes or rules (the class of the crimes will depend upon the number of prior convictions for this offense)
        1. For 1999 registrants – 34-A M.R.S. § 11227
        2. For 2013 registrants – 34-A M.R.S. § 11288
    b. If the State pleads and proves that a Gross Sexual Assault was committed in a "safe children zone," the court must treat that as an aggravating sentencing factor. (17-A M.R.S. § 253(7).
    c. Prohibited contact with a minor – 17-A M.R.S. § 261
        1. Must have committed a 17-A, Chapter 11 or 12 offense against a child less than 14 years of age and
            a. Initiates contact with a child less than 14 years of age (Class E) or
            b. Initiates contact with a child less than 14 years of age in a "sex offender restricted zone (Class D).
    d. Residency Restrictions (30-A M.R.S. § 3014)
    Maine law allows a municipality to adopt residency ordinances prohibiting a sex offender from residing closer than 750 feet from the real property comprising a public or private elementary, middle or secondary school or 750 feet surrounding the real property comprising a municipally owned property where children are the primary users. The ordinance can only apply to individuals convicted of certain sex offenses and is not the same definitions used for sex offender registration. The offense is a violation of the municipal ordinance and would be prosecuted by the municipality.

15. Who reports to national sex offender registry?
    It is the Bureau's responsibility to send information concerning a registered sex offender to the national registry; however, information will not be accepted by federal officials when fingerprints are not provided. When this information is not contained in the national registry, the sex offender's offenses and conviction will not be available when a III (Triple I) request is made. When information is accepted by the national registry, the individual is flagged as a registered sex offender in the hot files. This alert is returned whenever law enforcement runs a check on a driver's license and/or motor vehicle check.

	STATE OF MAINE **NOTICE OF DUTY TO REGISTER** "SEX OFFENDER REGISTRATION AND NOTIFICATION **ACT OF 1999**," AS AMENDED ("SORNA"), 34-A M.R.S. §§11201-11256 INDIVIDUALS SENTENCED **ON OR AFTER JANUARY 1, 1982 AND PRIOR TO SEPTEMBER 18, 1999**

NAME: _____ **DATE OF BIRTH:** _____

COURT: _____ **DOCKET NO.** _____

YOU ARE REQUIRED BY LAW TO REGISTER WITH THE MAINE STATE POLICE; STATE BUREAU OF IDENTIFICATION AS FOLLOWS:

☐ **10-year registrant** ☐ **Lifetime registrant**

At any time, the bureau may correct the term of a registration erroneously assigned to an offender or registrant. In such instances, the bureau shall notify the offender or registrant, the district attorney and the court in the jurisdiction where the conviction occurred and the law enforcement agency having jurisdiction where the offender or registrant is domiciled, resides, is employed or attends college or school, if applicable. 34-A M.R.S. § 11222(1).

You are required to register with the Maine State Police, State Bureau of Identification; by providing the information demanded on the registration form and paying a registration fee of $25 immediately upon sentencing if no period of imprisonment is to be served, or prior to release from imprisonment or institutional confinement 15 M.R.S. §104-A. The $25 fee is also due upon each annual verification. You must also notify the law enforcement agency having jurisdiction within 24 hours of becoming a domiciliary or resident or beginning work or attending school.

CHANGE OF REGISTRATION INFORMATION

If you change your domicile, residence, mailing address, place of employment, or college or school, you must give your new information to the Maine State Police, State Bureau of Identification, 45 Commerce Drive, Suite 1, 42 SHS, Augusta, Maine 04330 in writing within 5 days. You must also notify the law enforcement agency having jurisdiction within 24 hours. If you move to another State, you must register your new address with the State Bureau of Identification and, if the new state has a registration requirement, you must register with the designated law enforcement agency in the new state [not later than 5 days after establishing residence in that State] as required by that state's law.

EMPLOYMENT AND COLLEGE OR SCHOOL IN ANOTHER STATE

If you have part-time or full-time employment in another State, with or without compensation, for more than 14 consecutive days or for a aggregated (total) period exceeding 30 days in a calendar year or if you enroll in any type of school or college in another State on a part-time or full-time basis, you must give the Bureau your place of employment or school or college in writing within 5 days after beginning work or attending school or college and if the other State has a registration requirement, you must register with the designated law enforcement agency in the other State.

FINGERPRINTS AND PHOTOGRAPH

You must submit to the taking of your fingerprints and a photograph at the law enforcement agency with jurisdiction over your domicile or residence within 3 days of this notice, if they have not already been obtained in connection with the offense that necessitates this registration.

VERIFICATION FOR PERSON SENTENCED ON OR AFTER JANUARY 1, 1982 AND PRIOR TO SEPTEMBER 18, 1999 WHO IS A 10-YEAR REGISTRANT

During the period a 10-year registrant sentenced on or after January 1, 1982 and prior to September 18, 1999 is required to register, the bureau shall require the 10-year registrant to verify registration information including domicile, residence, mailing address, place of employment and college or school being attended. The bureau shall verify the registration information of a 10-year registrant in writing as provided by the bureau on each anniversary of the 10-year registrant's initial registration date and once every 5 years in person.

VERIFICATION FOR PERSON SENTENCED ON OR AFTER JANUARY 1, 1982 AND PRIOR TO SEPTEMBER 18, 1999 WHO IS A LIFETIME REGISTRANT

During the period a lifetime registrant sentenced on or after January 1, 1982 and prior to September 18, 1999 is required to register, the bureau shall require the lifetime registrant to verify registration information including domicile, residence, mailing address, place of employment and college or school being attended. The bureau shall verify the registration information of a lifetime registrant in writing as provided by the bureau every 90 days after that lifetime registrant's initial registration date and once every 5 years in person.

ACKNOWLEDGEMENT

I hereby acknowledge that I understand the requirements placed on me as a □ **10-year registrant** or □ **Lifetime registrant** pursuant to 34-A M.R.S. §11227. If I fail to comply with any duty imposed by that chapter or rules adopted pursuant to that chapter, I understand that I am committing a Class D crime. I understand that a second violation for failure to comply with any duty imposed by that chapter or the rules adopted pursuant to that chapter is a Class C crime. I understand that a third or subsequent violation for failure to comply with any duty imposed by that chapter or the rules adopted pursuant to that chapter is a Class B crime.

Date: _____ Defendant: _____

Appendix 4

STATE OF MAINE

Maine State Police, State Bureau of Identification
42 State House Station, Augusta, ME 04333-0042

SEX OFFENDER REGISTRY VERIFICATION FORM
FOR REGISTRANTS
WITH AN OFFENSE DATE ON OR AFTER JANUARY 1, 2013

HOW YOU MUST CARRY OUT YOUR STATUTORY DUTY TO VERIFY
ANNUAL, 180 DAY, 90-DAY (fee required/no fee required) **SORA 0000**

You are a **TIER I / TIER II / TIER III** under Maine's SORNA. Within 3 days, you must bring this form, **a current passport photograph** and a form of legal identification with you to the law enforcement agency having jurisdiction where you are domiciled. Law enforcement agency means the municipality's police department, or if there is not a police department than you must go to the sheriff department within your jurisdiction

"DOMICILE" MEANS THE PLACE WHERE A PERSON HAS THAT PERSON'S ESTABLISHED, FIXED, PERMANENT OR ORDINARY DWELLING PLACE OR LEGAL RESIDENCE TO WHICH, WHENEVER THE PERSON IS ABSENT, THE PERSON HAS THE INTENTION OF RETURNING. A PERSON MAY HAVE MORE THAN ONE RESIDENCE BUT ONLY ONE DOMICILE.

DATE SENT: INSERT DATE

RETURN BY: INSERT DATE

MAILING ADDRESS:
NAME
XXXXXXX
XXXXXXX
XXXXXXX

DOMICILE/PHYSICAL ADDRESS:
NAME Date of Birth: 00/00/0000
XXXXXXXXXXX
XXXXXXXXXXX
XXXXXXXXXXX

Height: XXXX **Weight:** XXXX **Hair:** XXXX **Eyes:** XXXX

LAND LINE #: XXX-XXX-XXXX

CELL PHONE #: XXX-XXX-XXXX

RESIDENCE ADDRESS:
XXXXXXXXXXXX
XXXXXXXXXXXX
XXXXXXXXXXXX

RESIDENCE ADDRESS:
XXXXXXXXXXX
XXXXXXXXXXX
XXXXXXXXXXX

WORK ADDRESS:
If not applicable, use None
XXXXXX
XXXXXX

SCHOOL ADDRESS:
If not applicable, use None
XXXXXXX
XXXXXXX

WORK ADDRESS:
If not applicable, use None
XXXXXXXX
XXXXXXX

SCHOOL ADDRESS:
If not applicable, use None
XXXXXXX
XXXXXXX

Probation Deputy: XXXXXXXX

Probation Deputy Phone No. XXX-XXXX

INTERNET IDENTIFIERS (email addresses or other designations used for self-identification or routing in Internet communication or postings): XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

PROFESSIONAL LICENSE: XXXXXXXXXXXX

PASSPORT AND IMMIGRATION DOCUMENTS RECEIVED: **YES/NO**

DRIVERS LICENSE #: XXXXXXXXXX STATE: XXXXXXXX

MOTOR VEHICLE INFORMATION **(owned, leased or used):**

(**Lease means** a transfer of the right to possession and use of a motor vehicle for a term of 30 days or more in return for consideration)

REGISTRATION:

YEAR: XXXX **COLOR:** XXXXXXXXXX **MAKE:** XXXXXXXXX **MODEL:** XXXXXXXXXXX

LICENSE PLATE #: XXXXXXXXXXXXXXXXX

LOCATION OF VEHICLE (physical address): XXXXXXXXXXXXXXXXXXXXXXXX

I UNDERSTAND THAT MAKING A FALSE STATEMENT THAT I DO NOT BELIEVE TO BE TRUE ON THIS FORM CONSTITUTES A CRIMINAL OFFENSE, AND MAY BE PROSECUTED AS UNSWORN FALSIFICATION PURUANT TO 17-A M.R.S. § 453 (CLASS D)

Registrant signature: _____Printed Name: _____

TO BE FILLED OUT BY LAW ENFORCEMENT AGENCY HAVING JURISDICTION

Law Enforcement Agency: _____ ORI: _____

Name of Deputy (print): _____

Signature of Deputy: _____ Date: _____

Form of Identification used for Verification:

FEE ENCLOSED? Yes No CURRENT COLOR PASSPORT PHOTO ENCLOSED? Yes No

Fingerprint of left index finger rolled	Fingerprint of right index finger rolled

(Indicate substitute digit if Index finger not available)

NOTE: PLEASE PHOTOCOPY IF YOU WOULD LIKE A COPY OF THIS DOCUMENT FOR YOUR RECORDS

SEX OFFENDER REGISTRATION AND NOTIFICATION
ACT OF **2013 34-A M.R.S. §§11271 - 11304**

NOTICE OF CHANGE OF INFORMATION REPORT
FOR REGISTRANTS CONVICTED
ON OR AFTER JANUARY 1, 2013
AND
DATE OF OFFENSE MUST BE ON OR AFTER JANUARY 1, 2013

TO: State Bureau of Identification, Sex Offender Registry, 42 State House Station, Augusta, ME 04333-0042

NAME (Last, First, Middle): _____

DATE OF BIRTH (Year, Month, Day): _____

GENDER: (M) (F) **Height:** _____ **Weight:** _____ **Hair:** _____

ONE OR MORE OF THE FOLLOWING HAS CHANGED. CHECK OFF ALL THAT APPLY

☐ **NEW NAME CHANGE:** _____

PROBATION DEPUTY'S NAME: _____

☐ **DOMICILE (HOME)** ☐ **MAILING** ☐ **RESIDENCE** ☐ **SCHOOL OR COLLEGE** ☐ **PLACE OF EMPLOYMENT**
(Primary address) **(Secondary address)**

☐ **INTERNET IDENTIFIERS** ☐ **HOME PHONE #** ☐ **CELL PHONE #**

DRIVER'S LICENSE: ☐ Yes ☐ No **DRIVERS LIC #:** _____ **STATE**: ____ **COPY ENCLOSED** ☐ Yes ☐ No

ANY PROFESSIONAL LICENSE: ☐ Yes ☐ No **COPY ENCLOSED** ☐ Yes ☐ No

ANY PASSPORT/IMMIGRATION DOCUMENTS: ☐ Yes ☐ No **COPY ENCLOSED** ☐ Yes ☐ No

MOTOR VEHICLE INFORMATION ☐ Yes ☐ No (owned, leased or used) **REGISTRATION & LOCATION OF VEHICLE**

YEAR _____ **COLOR** _____ **MAKE** _____ **MODEL** _____ **LICENSE PLATE #** _____

LOCATION OF VEHICLE (physical address): _____

(**Lease means** a transfer of the right to possession and use of a motor vehicle for a term of 30 days or more in return for consideration.)

YOU MUST COMPLETE INFORMATION FOR EACH BOX YOU CHECKED OFF ABOVE.

NEW DOMICILE (Home) ADDRESS (Primary Physical Location): _____

_____

HOME PHONE # _____ CELL PHONE # _____

INTERNET IDENTIFIERS (email addresses, other designations used for self-identification or routing in Internet communication or postings: _____

_____

NEW MAILING ADDRESS: _____

_____

RESIDENCE ADDRESSES (Secondary Physical Address, other than Domicile): _____

_____

PLACE OF EMPLOYMENT (NAME AND PHYSICAL LOCATION): _____

_____

PLACE OF SCHOOL OR COLLEGE (NAME AND PHYSICAL LOCATION): _____

_____

6. TEMPORARY LODGING ADDRESSES AND DATES OF TRAVEL PRIOR TO 21 DAYS BEFORE TRAVELING BEYOND THE JURISDICTION OF THE UNITED STATES (if applicable)**:**

_____

_____

I UNDERSTAND THAT MAKING A FALSE STATEMENT THAT I DO NOT BELIEVE TO BE TRUE ON THIS FORM CONSTITUTES A CRIMINAL OFFENSE, AND MAY BE PROSECUTED AS UNSWORN FALSIFICATION PURSUANT TO 17-A M.R.S. §453 (CLASS D)

I UNDERSTAND THAT CHANGES IN INFORMATION MUST BE REPORTED IN WRITING TO THE MAINE STATE POLICE, MAINE STATE BUREAU OF IDENTIFICATION, WITHIN 3 DAYS. I MUST ALSO NOTIFY THE LAW ENFORCEMENT AGENCY HAVING JURISDICTION WITHIN 24 HOURS. I UNDERSTAND IF I MOVE TO ANOTHER STATE, I MUST REGISTER THE NEW ADDRESS WITH THE MAINE STATE BUREAU OF IDENTIFICATION. IF THE NEW STATE HAS A REGISTRATION REQUIREMENT, I MUST REGISTER WITH THE DESIGNATED LAW ENFORCEMENT AGENCY IN THE NEW STATE NOT LATER THAN 3 DAYS AFTER ESTABLISHING RESIDENCE IN THAT STATE OR AS REQUIRED BY THAT STATE'S LAW.

REGISTRANT SIGNATURE: _____ DATE: _____

DEFINITIONS:

1.) "**Another state**" means each of the several states except Maine, and includes the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa and the Northern Mariana Islands.

2.) "**Domicile**" means the place where a person has that person's established, fixed, permanent or ordinary dwelling place or legal residence to which, whenever the person is absent, the person has the intention of returning. A person may have more than one residence but only one domicile.

3.) Employment and College or School
A. Within 24 hours of beginning full-time or part-time employment, with or without compensation, for more than 14 consecutive days or for an aggregate period exceeding 30 days in a calendar year in this State; or
B. Within 24 hours of beginning college or school on a full-time or part-time basis in this State.

4.) "**Jurisdiction**" means the Federal Government, including the military, this State, another state or a tribe.

5.) "**Law enforcement agency having jurisdiction**" means the chief of police in the municipality where a registrant or an offender expects to be or is domiciled. If the municipality does not have a chief of police, "law enforcement agency having jurisdiction" means the sheriff of the county where the municipality is located. "Law enforcement agency having jurisdiction" also means the sheriff of the county in an unorganized territory.

6.) "**Residence**" means that place or those places, other than a domicile, in which a person may spend time living, residing or dwelling. Proof that an offender has lived in the State for 14 days continuously or an aggregate (total) of 30 days within a period of one year gives rise to a permissible inference under the Maine Rules of Evidence, Rule 303 that the person has established a residence for the purposes of registration requirements imposed by this chapter.

Appendix 6
SUMMARY OF PROCEDURES FOR INSTITUTIONS
RELEASING SEX OFFENDERS

A. The State Department of Corrections, the county jail or the state mental health institute that has custody of a registrant required to register shall inform the registrant, prior to discharge or conditional release, of the duty to register. If a registrant does not serve a period of institutional confinement, the court shall inform the registrant at the time of sentencing of the duty to register[2].

B. The department, county jail, state mental health institute or court shall:
   1. Inform the registrant of the duty to register and obtain the information required for the initial registration.
   2. Inform the registrant of the requirement to notify the law enforcement agency (LEA) having jurisdiction pursuant to 34-A M.R.S. § 11203 (1) (B)).
   3. Inform the registrant that if the registrant changes domicile or changes residence, place of employment or college or school being attended, the registrant shall give the new address to the bureau in writing within 5 days (SORNA of 1999) and 3 days (SORNA of 2013) and shall notify the LEA having jurisdiction within 24 hours.
   4. Inform the registrant that if the registrant changes domicile to another state, the registrant shall register the new address with the bureau and if the new state has a registration requirement, the registrant shall register with a designated LEA in the new state not later than 5 days (SORNA of 1999) and 3 days (SORNA of 2013) after establishing domicile in the new state.
   5. Inform the registrant that if that registrant has P/T or F/T employment in another state, with or without compensation, for more than 14 consecutive days or for an aggregate period exceeding 30 days in a calendar year or if that registrant enrolls in any type of school in another state on a P/T or F/T basis, the registrant shall give the bureau the registrant's place of employment or school to be attended in writing within 5 days (SORNA of 1999) and 3 days (SORNA of 2013) after beginning work or attending school and if the other state has a registration requirement, shall register with the designated LEA in the other state.
   6. Obtain fingerprints and a photograph of the registrant or the court may order the registrant to submit to the taking of fingerprints and a photograph at a specified LEA within 3 days if the fingerprints and photograph have not already been obtained in connection with the offense that necessitates registration.
   7. Enforce the requirement that the registrant read and sign a form provided by the bureau that states that the duty of the registrant to register under this section has been explained.

[2] 34-A M.R.S. §§ 11222(2) (SORNA of 1999 and 11282.

WHAT IS "COMMUNITY NOTIFICATION"?

- Community notification refers to laws that require local law enforcement to disclose to the public relevant information about certain convicted sex offenders upon their release from prison, work release, or another secure facility. Such information may include the sex offender's address, past crimes, description of offense for which the offender was convicted, physical description and/or photograph, and conditions of release.
- Community notification laws are different from sex offender registration laws, which simply require convicted sex offenders who are living in the community to notify the police of where they are living.

HOW AND WHEN ARE COMMUNITIES NOTIFIED?

- In Maine, notification of community members, as well as the extent of that notification, is determined by the law enforcement agency serving the particular community. The agency must notify those members of a community determined appropriate to ensure public safety. While there are minimum standards for law enforcement policies regarding such notification, to some extent jurisdictions in Maine may establish their own notification practices. Therefore, there may be variations of community notification practices from one geographic area to the next.

WHY AREN'T COMMUNITIES INFORMED OF ALL SEX OFFENDERS WHO ARE RELEASED FROM PRISON?

- The intent of the community notification law is that the community receives information that is RELEVANT and NECESSARY to enhance its safety. Not all sex offenders pose a risk to all residents and knowing about every convicted sex offender does not necessarily enhance safety.

WHY ARE CONVICTED SEX OFFENDERS ALLOWED TO LIVE IN OUR COMMUNITY?

- When sex offenders (or any person who has been convicted of a crime) have served their time in prison, they are free to live and work where they choose. Though this may be frustrating, it is a protection of constitutional rights. At the same time, though, some sex offenders may have some restrictions imposed if they are still under supervision, such as probation.

RESOURCES AND TELEPHONE NUMBERS

To report a crime against a child, contact your local police department.

To report suspected child abuse within a family, contact the Department of Health and Human Services at **1-800-452-1999**.

To get help and assistance, contact your local sexual assault support center's statewide, 24-hour, confidential support line at **1-800-871-7741**.

To view the registered sex offenders living in Maine visit the State of Maine Sex Offender Registry: **http://www.informe.org/sor/**

Information contained in this brochure is designed to enhance public safety and awareness. However, no law can guarantee the protection of our children. There is no substitute for common safety precautions.

A Guide for Communities, Organizations and Schools about Community Notification of Sex Offenders

CONTACT YOUR LOCAL
SEXUAL ASSAULT SUPPORT CENTER
FOR MORE INFORMATION

Statewide, 24-hour, confidential sexual assault support line
1-800-871-7741
TTY: 1-888-458-5599
For a link to one of Maine's sexual assault support centers go to:
www.mecasa.org

A Guide for Communities, Organizations and Schools about Community Notification of Sex Offenders

Information in this brochure is designed for:
State and local leaders, Citizens and Community Organizations.

Knowledge that a convicted sex offender has moved into your neighborhood can be a frightening and overwhelming experience. It can also bring on an intense reaction from parents, neighbors, schools, and organizations in the community.

SOME OF THE MOST OFTEN ASKED QUESTIONS INCLUDE:

- What does this mean?
- How can this happen?
- What do we tell our children?
- How do we support our community and calm people's fears?
- What are the roles and responsibilities of parents, communities, and schools?
- What are the limits of community notification laws?
- What resources are available to help me learn more about the notification process?

This brochure will address many of these questions and concerns. It will also provide suggestions on enhancing the safety of the community as well as information on prevention of child sexual abuse.

WHO ARE THE PERPETRATORS OF CHILD SEXUAL ABUSE?

- Studies on who commits child sexual abuse vary in their findings, but the most common finding is that the majority of sexual offenders against children are not strangers but family members or someone the child knows.
- Research further shows that men are most often perpetrators, although there are cases in which women are also offenders.
- Despite a common myth, homosexual men are not more likely to sexually abuse children.

WHAT SHOULD WE TELL OUR CHILDREN IN THE COMMUNITY ABOUT THIS SEX OFFENDER WHO HAS MOVED INTO OUR NEIGHBORHOOD?

- Open communication between parents and children are vital components of personal safety. As a parent or other responsible adult who has become aware of the presence of a convicted sex offender, your first decision will be whether or not to tell the child of the sex offender and if so, what to tell the child.
- It is best not to share scary details about a specific case or offender. Rather, let your child know that the offender has hurt someone before and should be avoided. Tell your children to let you or another trusted adult know immediately if the offender approaches them or their friends. Keep information general, as this may protect them not only against the known offender but others who may try to harm them as well. In other words, it is most helpful if you talk about basic safety in general terms and about situations or actions rather than certain individuals.

NOW THAT THE COMMUNITY KNOWS THAT A SEX OFFENDER LIVES IN THE NEIGHBORHOOD, WHAT SHOULD WE DO DIFFERENTLY TO PROTECT OUR CHILDREN AND OURSELVES?

- Although it is alarming to be notified that a sex offender is living in your neighborhood, knowing of a specific offender generally does not assure safety. In fact, there are thousands of sex offenders living in Maine today and you may already be living near one of them. It is best to practice general safety strategies ALL THE TIME and learn to recognize potentially dangerous situations to protect yourself.
- While the new community notification law allows law enforcement to tell you about some sex offenders, this is not a guarantee of safety from sex offenses. It is important to know that sex offenders cannot be identified by looks, race, gender, or occupation. A sex offender can be anyone, so precautions need to be taken at all times. Open communication between parents and children are vital components of safety. Review safety tips, and be aware of common lures.
- Remember that community notification is not about chasing sex offenders out of our neighborhoods. Be attentive and report any violations or suspicious behavior the offender is engaged in, but DO NOT threaten, intimidate, or harass the offender. An offender who is put in a stressful state is more likely to relapse.

WHAT ARE WE AS CITIZENS PROHIBITED FROM DOING?

- Experts believe sex offenders are less likely to re-offend if they live and work in an environment free of harassment. Any actions taken against the individual named in the notification, including vandalism of property; verbal or written threats of harm; or physical violence against this person, his or her family, or employer, will result in arrest and prosecution of criminal acts.

AVAILABLE RESOURCES TO COMMUNITIES

Assistance and support are available to those communities in which a convicted sex offender has been or will soon be released. Among the forms of available assistance are:

FACILITATION OF COMMUNITY FORUMS

Multi-disciplinary panels are available to facilitate community meetings as a means to present sensitive information to the public. Typically, such meetings include an overview of the community notification laws and practices. Misinformation is countered and fears and concerns are addressed. Actions that citizens can take to enhance the safety of their community is emphasized. These panels generally consist of individuals from varied backgrounds which may include representatives from law enforcement, social services, clergy, and mental health, probation, sex offender treatment providers, and sexual assault advocates. For more information, call your local sexual assault support center.

CONSULTATION

Speakers and consultants from your local sexual assault support center in collaboration with law enforcement and other service providers are available to schools, churches, and other community organizations to help use notification as an opportunity to educate their communities.

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