

Purpose: To establish a guideline to assist local community-based probation agencies in developing consistent and uniform standard operating procedures for registering and reporting changes in vital information of sex offenders to the Virginia State Police Sex Offender Registry.

Related Standard: Department of Criminal Justice Services' *Minimum Standards for Local Community Corrections and Pretrial Services*, Part II. § _____

Supercession: First submission.

Authority: § 9.1-903, Subsection E, F, and G; and § 9.1-907, Subsection G of *the Code of Virginia*.

Definitions:

- Electronic Format, for the purposes of this guideline, means the use of email.

Policy

A. Who Must Register

1. Every person convicted of an offense on or after July 1, 1994, under § 9.1-902, subsection B, shall register or reregister with the State Police – maintained Sex Offender and Crimes Against Minors Registry.
2. This includes a juvenile tried and convicted in the circuit court pursuant to § [16.1-269.1](#), whether sentenced as an adult or juvenile, of an offense set forth in § [9.1-902](#)
3. This further includes any similar offense under the laws of any foreign country or any other state within the United States or any Political subdivision thereof.

B. Procedure to register, reregister or advise of changes

1. After conviction of charges for which registration is required under subsection G of § [9.1-902](#) offenders shall be required to register and reregister with the Department of State Police. The court shall order the person to provide to the local law-enforcement agency of the county or city where he physically resides all information required by the State Police for inclusion in the Registry. The court shall immediately remand the person to the custody of the local law-enforcement agency for the purpose of obtaining the person's fingerprints and photographs of a type and kind specified by the State Police for inclusion in the Registry. Upon conviction, the local law-enforcement agency shall forthwith forward to the State Police all the necessary registration information.
2. Every person required to register shall register in person within three days of his release from confinement in a state, local or juvenile correctional facility, in a state civil commitment program for sexually violent predators or, if a sentence of confinement is not imposed, within three days of suspension of the sentence or in the case of a juvenile of disposition. As part of the registration shall submit to be photographed, submit to have a sample of his blood, saliva, or tissue taken for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person, provide electronic mail address information, any instant message, chat or other Internet communication name or identity information that the person uses or intends to use, submit to have his fingerprints and palm prints taken, provide information regarding his place of employment, and provide vehicle registration information for all vehicles owned by him.

3. Any person required to register shall also reregister in person with the local law-enforcement agency following any change of name or any change of residence, whether within or without the Commonwealth.
4. If a community-based probation officer becomes aware of a change of any of the information listed below for any of his probationers required to register, the officer shall notify the State Police by email upon learning of the change using the LCBP Form SP 237.
 - a. Change of name
 - b. Change of residence
 - c. Change of place of employment
 - d. Change of owned vehicle registration information
 - e. New/change in enrollment or employment status with an institution of higher learning.
 - f. New/change of email address
 - g. New/change of Instant Message name or address
 - h. New/change Chat or Other Internet Communication name, identity or address
 - i. Whenever it appears that false registration information has been provided
5. The State Police will physically verify the registration information within 30 days of the initial registration and semiannually each year thereafter and within 30 days of a change of address of those persons who are not under the control of the Department of Corrections or Community Supervision as defined by § [53.1-1](#), who are required to register pursuant to this chapter.