

## 1.3.C.12 Sex Offender Registration

### I Policy Index:



**Date Signed:** 08/14/2017  
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**Office of Primary Responsibility:** DOC Administration

### II Policy:

A sex offender must register within the State of South Dakota, as required by SDCL § 22-24B-2.

### III Definitions:

#### **Attends School and Attends Classes:**

As used in SDCL § 22-24B-2, the term, “attends school”, and the term, “attends classes” applies to any person who is enrolled on a full-time or part-time basis in any public or private educational institution, including any secondary school, trade, or professional institution, or institution of higher education (See SDCL 22-24B-4).

#### **Business Day:**

For purposes of this policy, a business day is any calendar day except Sunday, or the following holidays: New Year's Day, Washington's Birthday, Memorial Day, Independence Day, Labor Day, Pioneers' Day, Veterans' Day, Thanksgiving Day and Christmas Day (See SDCL §§ 37-24-1(2) and 22-24B-1.1).

#### **Calendar Day:**

For the purposes of this policy, a calendar day is any day within a given week, including weekends and holidays.

#### **Offender:**

For the purpose of this policy, an offender is an inmate (in the custody of the Department of Corrections' institutional system), a federal detainee in the custody of the DOC institutional system, a parolee (under parole or suspended sentence supervision by South Dakota Parole Services) or a juvenile committed to the DOC.

#### **Sex Offender:**

For the purpose of this policy only, a sex offender is:

1. Any adult offender convicted of a sex crime as listed in SDCL § 22-24B-1 or adjudicated as a juvenile for SDCL § 22-24B-1 (1) or of an out-of-state or federal offense that is comparable to the elements of the crime of rape, or any crime committed in another state if the state also requires a juvenile adjudicated of that crime to register as a sex offender in that state, this

(includes verdict or plea of guilty, a plea of nolo contendere and suspended imposition of sentence which has not been discharged pursuant to SDCL § 23A-27-14 before July 1, 1995 (also see SDCL § 22-24B-2) (See Attachment 1), regardless of the offense date or date of conviction; or

2. Any juvenile offender fourteen years of age or older at the time of the offense adjudicated of rape, as defined in subdivisions SDCL § 22-24B-1(1), or of an out-of-state or federal offense that is comparable to the elements of the crime of rape, or any crime committed in another state if the state also requires a juvenile adjudicated of that crime register as a sex offender in that state. The term adjudicated includes a court's finding of delinquency, an admission and a suspended adjudication of delinquency which has not been discharged pursuant to SDCL § 26-8C-4 before July 1, 2009; or
3. Any person with a foreign criminal conviction which requires the person to register either as a sex offender pursuant to SDCL § 22-24B-2, or pursuant to the law of the state where the conviction took place, or pursuant to any court order, is required to register within three (3) business days of their arrival in South Dakota (See SDCL § 22-24B-31).

### **Work Defined:**

SDCL § 22-24B-3, as used in SDCL § 22-24B-2, the term, work, includes employment that is full-time or part-time for a period of time exceeding fourteen days, or for an aggregate period of time exceeding thirty days during any calendar year, whether financially compensated, volunteered or for the purpose of government or educational benefit.

## **IV Procedures:**

### **1. Sex Offender Registration Requirements:**

- A. A sex offender must complete an initial sex offender registration (located on the South Dakota Sex Offender Registration website) within three (3) business days of coming into any county to reside, temporarily domicile, attend school, classes or to work, unless the move is the result of a DOC initiated transfer between facilities (See SDCL § 22-24B-2). Violation is a Class 6 felony.
- B. A sex offender is required to complete the verification form sent out by the Division of Criminal Investigation (DCI) at least annually, pursuant to SDCL § 22-24B-5 and return the form to DCI within ten (10) calendar days of receipt of the form. Violation is a Class 6 felony.

**Note:** Verification forms are not sent to incarcerated sex offenders.

- C. Any sex offender required to register pursuant to SDCL § 22-24B-2, who is employed, carries on a vocation or attends postsecondary classes at an institution of higher education or technical institute, shall, within three business days of commencement or termination of such employment or enrollment, report to the police or county sheriff where the institution is located and complete a registration form. Violation is a class 6 felony.
  1. The registration update must take place within three (3) business days of any commencement of work or attending classes, and within three (3) business days of termination of such enrollment, employment or a change in employer (See SDCL § 22-24B-6).
  2. The sex offender must report to the chief of police of the town/city where he/she is employed and/or enrolled, or if there is no chief of police, the county sheriff where the employment or educational institution is located.

**Note:** Sex offenders are required to simultaneously register in multiple counties if they reside and work in different counties.

- D. A sex offender on supervised release is required to update his/her registry every six (6) months in the same manner as the initial registration (See SDCL § [22-24B-7](#)).
- E. A sex offender on supervised release who moves to a different location or residence address will provide written notification of his/her new location or address to the law enforcement agency with whom he/she last registered within three (3) business days (See SDCL § [22-24B-12](#)).
- F. A sex offender shall report, within three business days, any change in the registration status of a vehicle the he/she owns to the chief of police or sheriff. A violation of this is a Class 1 misdemeanor.

## 2. Sex Offender Registration:

- A. During the admission/intake process, DOC staff will complete a NCIC III for each offender received at a DOC facility to determine if the offender is required to register pursuant to SDCL §§ [22-24B-1](#) to [22-24B-14](#) (See DOC policy 1.1.E.5 *Inmate Criminal History*).
  - 1. If an offender is identified as being required to register pursuant to SDCL §§ [22-24B-1](#) to [22-24B-14](#), DOC staff will ensure the offender submits required sex offender registrations to the Division of Criminal Investigations (DCI) within three business days of admission to the facility or commitment to the DOC (See SDCL § [22-24B-30](#) and the section on Sex Offender Registration Requirements).
- B. If it is confirmed by DOC staff that an offender is currently registered with the South Dakota Sex Offender Registry, staff will update the registry as necessary.

**Note:** The sex offender must be present during the update so their fingerprint can be obtained.

- 1. For adult offenders, Central Records staff will provide the designated institutional staff with the name of the offender needing to complete or update information within the Sex Offender Registry.
  - a. The staff member will ensure the updates are completed and copies sent to DOC Central Records to be maintained in the offender's legal file.
- 2. The Director of Juvenile Services or designee will provide the Juvenile Corrections Agents (JCA) with the name of any juvenile sex offender assigned to the JCA so the JCA can update the sex offender registration.
  - a. Each JCA will track compliance with the updated registration requirements for sex offenders assigned to their caseload. All registration updates will be included on the JCA's month-end report.
- C. If the sex offender is not registered with the South Dakota Sex Offender Registry, institutional staff or the JCA will complete the required initial registration on the Sex Offender Registration website.
  - 1. Central Records staff will provide designated institution staff with the name of any sex offender required to complete the sex offender registration.
    - a. The staff member will ensure the registration is completed and copies sent to Central Records to be maintained in the offender's legal file.
    - b. All initial registrations submitted to the SD Sex Offender Registration website will include finger and palm prints and a current photo of the offender.

2. The Director of Juvenile Community Corrections or designee will provide JCAs with the names of juvenile sex offenders required to register with local law enforcement.
  - a. Each JCA will track compliance with the registration of sex offenders on their caseload and will forward the information to their respective supervisor, who will include all registrations their month end report to the Director of Juvenile Services.

### **3. Information Required During Sex Offender Registration:**

- A. Registration will include the following information if the sex offender is currently under DOC supervised release (parole, suspended sentence, Community Transition Program (CTP), juvenile aftercare, or secondary placement programs) {See SDCL § [22-24B-8](#)):
  1. Name and all aliases used.
  2. A complete physical description, to include photographs, fingerprints and palm prints.
  3. Current residence, the length of time at that residence (including the date the residence was established), and the length of time expected to remain at that residence.
  4. Sex crime conviction(s).
  5. The date of commission and the date of conviction of any sex crime committed.
  6. Social Security number.
  7. Driver license number and state of issuance.
  8. Whether or not the offender is receiving or has received any sex offender treatment.
  9. Employer name, address and telephone number or school name, address and telephone number.
  10. Length of employment or length of attendance at school.
  11. Occupation or vocation.
  12. Vehicle license plate number of any vehicle owned by the offender.
  13. Information identifying any internet/social media accounts of the offender as well as any user names, screen names, and aliases that the offender uses on the internet/social media.
  14. A listing of all felony convictions, in any jurisdiction, for crimes committed as an adult and sex offense convictions and adjudications subject to sex offender registry provided by the offender and confirmed by the registering agency.
  15. A description of the sex offense (provided by the prosecuting attorney).
  16. Acknowledgement whether the offender is currently an inmate, parolee, juvenile in DOC placement or under aftercare supervision, provided by the offender and confirmed by the DOC or administering body of the correctional facility.
  17. Acknowledgment whether the offender is subject to community safety zone restrictions, provided by the registering agency (See SDCL §§ [22-24B-22](#), [22-24B-23](#) and [22-24B-24](#)).

18. The name, address and telephone number of two (2) local contacts who have regular interaction with the offender; and the name, address and telephone number of the offender's next of kin.
    - a. Local contacts may include an offender's parole agent, JCA, clergy, teacher, neighbor or co-worker.
    - b. Next of kin generally includes children, parents, brothers/sisters or grandparents; however, in the absence of next of kin, other known relatives of the offender may be listed as contacts.
  19. As deemed appropriate, staff will attempt to confirm whether an offender has a passport or any document establishing immigration status, including the document type and ID number of the passport.
  20. Staff will attempt to confirm whether the offender has any professional, occupational, business or trade licenses from any jurisdiction.
- B. Sex offender registration will include the following information if the offender is currently in the physical custody of the DOC (includes CTP offenders):
1. Name and all aliases used;
  2. A complete physical description- to include photographs, fingerprints and palm prints (palm and finger prints are only needed on the initial registration, not on any re-registration completed by the DOC);
  3. Current residence, the date of incarceration, and the length of time expected to remain incarcerated;
  4. List of sex crime(s);
  5. The date of commission and the date of conviction of the sex crime(s) committed;
  6. Social Security number (if known);
  7. Driver license number and state of issuance (if available);
  8. Whether or not the offender is receiving or has received any sex offender treatment;
  9. A listing of all felony convictions committed as an adult and all sex offense convictions and adjudications subject to sex offender registration; and
  10. Acknowledgement whether the sex offender is currently an inmate, parolee or juvenile in DOC placement/aftercare supervision.
- C. At the time of sex offender's registration, the registering staff person will collect a DNA sample from the offender and submit the sample to the South Dakota State Forensic Laboratory, in accordance with procedures established by the Lab, unless it can be confirmed the sex offender has previously provided and submitted a DNA sample to the State Forensic Laboratory (See DOC policy 1.3.C.10 [DNA Collection](#) and SDCL § 22-24B-8).

#### **4. Annual Verification of Sex Offender Information:**

- A. Annual verification is not necessary for sex offenders currently in the physical custody of the DOC.

- B. Sex offenders currently under DOC supervised release (parole, suspended sentence, CTP, juvenile aftercare or secondary placement) are responsible for complying with all requirements of annual verification, as required by state and federal law.
- C. The verification form must be completed, signed by the offender required to register and returned to the DCI within ten (10) calendar days after the receipt (See SDCL § 22-24B-5).

## 5. Updating Sex Offender Registration Information:

- A. Staff at the institution receiving inmates will update the Sex Offender Registry if a sex offender currently in the physical custody of the DOC is transferred to a facility in another county (See SDCL § 22-24B-30).
  - 1. DOC staff is not required to notify the Division of Criminal Investigations (DCI) if a sex offender is temporarily absent (TAP) because of being out to court or is transferred to another DOC facility for short-term confinement, (generally less than two weeks).
  - 2. DOC staff will notify the DCI immediately if a sex offender escapes, absconds or absconds from a DOC facility or program (e-mail Peggy Nickerson with DCI at [Peggy.Nickerson@state.sd.us](mailto:Peggy.Nickerson@state.sd.us)).
- B. DOC staff will update the registration information of a sex offender required to register by notifying the DCI if the offender's status changes from an "inmate" to "parolee" (or vice-versa), DOC placement to aftercare (or vice-versa), completes/discharges his/her sentence while on parole/aftercare or is transferred to a different address (does not include temporary residence). DOC staff will notify DCI of the new location/address (See SDCL § 22-24B-30).
- C. Sex offenders under DOC supervised release (parole, suspended sentence, Community Transition Program (CTP) or juvenile aftercare) who are required to register, are responsible for updating their registration information, i.e. new address, with DCI.

## 6. Sex Offender Re-Registration Requirements:

- A. It is the responsibility of the sex offender to complete the re-registration if he/she is currently under DOC supervised release (parole, suspended sentence, CTP or juvenile aftercare).
- B. Re-registration for a sex offender under DOC supervised release must take place during the calendar month in which the sex offender was born, and six (6) months following his/her birth month.
- C. Re-registration is not required for a sex offender in the physical custody of the DOC.

## 7. Release of Sex Offenders from DOC Custody:

- A. Prior to discharge, parole, release to furlough, work release or similar temporary unsupervised access to the community, DOC staff will inform all sex offenders required to register pursuant to SDCL §§ 22-24B1-1 thru 22-24B-14, of their duty to register **and** inform them of the community safety zone restrictions pursuant to SDCL § 22-24B-13. This shall include all offenders who are:
  - 1. Discharged or released from a DOC program or facility.
  - 2. Granted a furlough or home visit.
  - 3. Granted Work Release or placement in the Community Transition Program.
  - 4. Or any other unsupervised access to the community.



- B. DOC staff will require the sex offender to read and sign a form(s) (See [Attachment 2](#)) acknowledging their duty to register, understanding of the community safety zone restrictions and procedure for registration requirements and any other forms required by DCI stating the duty to register, community safety zones restrictions and procedure for registration has been explained.
- C. Copies of the completed Duty to Register forms will be forwarded to Central Records for distribution to the following:
1. The offender.
  2. DCI.
  3. Law enforcement agency in the jurisdiction where the offender will reside.
  4. State's Attorney in county where the offender was convicted.
- D. DOC staff will obtain the address where the offender plans to reside upon discharge, release, parole, furlough/home visit, work release or similar program outside the facility and shall report the address to the DCI pursuant to SDCL § [22-24B-13](#).

## V Related Directives:

SDCL §§ [22-22-1](#), [22-22-7.2](#), [22-23-2\(2\)](#), [22-24B-1](#), [22-24B-1.1](#), [22-24B-2](#), [22-24B-5](#), [22-24B-6](#), [22-24B-12](#), [22-24B-13](#), [22-24B-22](#), [22-24B-24](#), [22-24B-30](#), [23A-27-14](#), [26-8C-4](#) and [37-24-1\(2\)](#).

DOC policy 1.1.E.5 -- [Inmate Criminal History](#)

DOC policy 1.3.C.10 – [DNA Collection](#)

## VI Revision Log:

**July 2006:** New policy

**July 2007:** **Deleted** the section on Sex Offender Registration for Offenders Currently in DOC Custody since this was a one-time project that has been completed.

**June 2008:** **Revised** formatting of policy in accordance with DOC policy 1.1.A.2 Policy and Operational Memorandum Management. **Added** hyperlink to "[www.nsopr.gov](http://www.nsopr.gov)" in subsection (A) and **added** "Juvenile Corrections Agents" followed by "(JCA's) in subsection (B2) of Sex Offender Registration for Newly Received Offenders section). **Added** e-mail address for Peggy Nickerson with DCI in subsection (A2 of Updating Sex Offender Registration Information section). **Replaced** "Division of Criminal Investigation" with "DCI" throughout policy when appropriate. **Added** SDCL Chapters 1, 2, 5, 6, 12, 22 and 24 in reference to 22-24B and **added** DOC policy in front of referenced policies within the Related Directives section. **Revised** other minor grammatical changes and sentence structure throughout policy.

**June 2009:** **Replaced** reference to "county residing in" with "State in" ss (B and C) and **replaced** "re-registration" with "Address Change Form" within ss (B and B1), **revised** wording regarding forms containing the names of the sex offenders within ss (B1), **replaced** "re-registration" with "all" in ss (B1a), **deleted** reference to "re" as it relates to "re-registration" in ss (B1c), **added** reference to registration prior in another state and **added** "initial" when referencing registration in ss (C) and **revised** wording in ss (C1) to reference forms with offenders names all within Sex Offender Registration for Newly Received Offenders. **Deleted** statement that SS#s are kept on separate confidential form within ss (A6 and B6), **added** "fingerprints" when referencing initial registering in ss (B2) and **deleted** reference of county or city jail inmates/detainee within ss (A16 and B1) all within Information Required During Sex Offender Registration). **Revised** ss (C of Release of Sex Offenders from DOC Custody) to reference Duty to Register forms will be forwarded onto Central Records. **Added** hyperlinks throughout policy and Attachment 1. **Deleted** repealed policies SDCL 22-22-30.1 and 22-24-1 from Attachment 1 and **revised** numbering to reflect deletion.

**June 2010:** **Revised** formatting of Section 1. **Revised** #2 of definition of Sex Offender. **Added** definition of Business Day along with relevant statutes. **Replaced** form with SD Sex Offender Registration website and **replaced** 5 with 3 business days, both within ss (A), **replaced** 5 calendar days with 3 business days

within ss (C1) and **replaced** 5 with 3 business days within ss (E) all within Sex Offender Registration Requirements. **Replaced** national sex offender registry website with NCIC for prior sex offender registration in ss (A), **replaced** national sex offender registry with requiring registration in ss (A1), **deleted** reference to forms, **replaced** unit staff with institutional staff, **revised** reference of offenders updating website to staff will update website and **added** Note regarding offender must be present at time of update all within ss (B and C), **revised** reporting procedures within ss (B2, B2a, C2 and C2a), **added** new ss (C2b) regarding JCAs and informing juvenile institutional staff and **replaced** "re-registration" with "update" as appropriate all within Sex Offender Registration for Newly Received Offenders. **Replaced** DOC with receiving institutional staff and **replaced** contacting DCI with updating Sex Offender Registry in ss (A of Updating Sex Offender Registration Information). **Added** 26-8C-4 within Related Directives section. **Revised** Attachment 1 with updated statute as of July 1, 2010. **Added** Attachment 2.

**July 2011:** **Removed** "prior to July 1, 2009" from Sex Offender definition. **Added** "Work" and "Attends School and Attends Classes" to definitions. **Deleted** "moved into a county" and **Replaced** with "coming into any county to reside, temporarily domicile, attend school, classes or to work" to Section 1 A. **Added** "location" "address" to Section 1 E. **Added** "and the sample has been submitted to the State Forensic Laboratory" to Section 3. C. **Added** "and community safety zone restrictions (see SDCL 22-24B-13) to Section 6 A. **Added** "community safety zones restrictions" to Section 6 B.

**July 2012:** **Added** "or change in employer" to Section 1 B. 1. **Added** "committed to the DOC" and "within three business days of admission to the facility or commitment to the DOC" to Section 2 A. 1. **Deleted** "or was registered prior in another state" in Section 2 C. **Added** 19. and 20. to Section 3 A. **Added** "in accordance with procedures established by the Lab" in Section 3 C. **Added** "required to register" and "Staff will notify DCI of the date of the change and the address/new location of the offender" in Section 5 B. **Deleted** "manager" and **Replaced** with "complete" in Section 6 A. **Added** "This shall include all offenders who are" and **Added** items 1-4 to Section 6 A. **Added** 1-4 to Section 6 C.

**July 2013:** **Reviewed with no changes.**

**June 2014:** **Added** 3. to definition of sex offender. **Added** D. to Section 7.

**June 2015:** **Added** "at the time of the offense" to 2. in the definition of "Sex Offender" **Added** F. to Section 2. **Updated** Attachment 1 to include human trafficking.

**June 2016:** **Deleted** 2. In Section 2 A. **Deleted** b. in Section 2 C. 2. **Deleted** "program outside of the DOC facility" and **Replaced** with "temporary unsupervised access to the community" in Section 7 A. **Added** "or home visit" to Section 7 A. 2. **Added** "or placement in CTP" to Section 7 A. 3. **Deleted** "unescorted" and **Replaced** with "unsupervised" in Section 7 A. 4. **Added** "understanding of" and **Added** "and any other forms required by DCI stating the duty to register, community safety zones, restrictions and procedure for registration has been explained" to Section 7 B. **Added** "Copies of" to Section 7 C. **Added** "release" "home visit" and "or similar program outside the DOC" in Section 7 D.

**June 2017:** **Reviewed with no changes.**

*Denny Kaemingk (original signature on file)*

Denny Kaemingk, Secretary of Corrections

08/14/2017

Date



## Attachment 1: Sex Crimes Requiring Registry

- 22-24B-1. For the purposes of §§ 22-24B-2 to 22-24B-14, inclusive, a sex crime is any of the following crimes regardless of the date of the commission of the offense or the date of conviction:
- (1) Rape as set forth in § 22-22-1;
  - (2) Sexual contact with a minor under sixteen as set forth in § 22-22-7 if committed by an adult;
  - (3) Sexual contact with a person incapable of consenting as set forth in § 22-22-7.2;
  - (4) Incest if committed by an adult as set forth in SDCL §§ 22-22A-2 to 22-22A-3.1 inclusive;
  - (5) Possessing, manufacturing, or distributing child pornography as set forth in § 22-24A-3;
  - (6) Sale of child pornography as set forth in § 22-24A-1;
  - (7) Sexual exploitation of a minor as set forth in § 22-22-24.3;
  - (8) Kidnapping, as set forth in § 22-19-1, if the victim of the criminal act is a minor;
  - (9) Promotion of prostitution of a minor as set forth in subdivision 22-23-2(2);
  - (10) Criminal pedophilia as previously set forth in § 22-22-30.1;
  - (11) Felony indecent exposure as previously set forth in former § 22-24-1 or indecent exposure as set forth in § 22-24-1.2;
  - (12) Solicitation of a minor as set forth in § 22-24A-5;
  - (13) Felony indecent exposure as set forth in § 22-24-1.3;
  - (14) Bestiality as set forth in § 22-22-42;
  - (15) An attempt to commit any of the crimes listed in this section or any conspiracy or solicitation to commit any of the crimes listed in this section;
  - (16) Any crime, court martial offense, or tribal offense committed in a place other than this state that constitutes a sex crime under this section if committed in this state;
  - (17) Any federal crime, court martial offense or tribal offense that would constitute a sex crime under federal law;
  - (18) Any crime committed in another state if that state also requires anyone convicted of that crime register as a sex offender in that state; or
  - (19) If the victim is a minor:
    - (a) Any sexual acts between a jail employee and a detainee as set forth in § 22-22-7.6;
    - (b) Any sexual contact by a psychotherapist as set forth in § 22-22-28; or
    - (c) Any sexual penetration by a psychotherapist as set forth in § 22-22-29;
  - (20) Intentional exposure to HIV infection as set forth in subdivision (1) of § 22-18-31.
  - (21) First degree human trafficking as set forth in § 22-49-2 if the victim is a minor; or
  - (22) Second degree human trafficking as set forth in § 22-49-3 involving the prostitution of a minor.

## Attachment 2: Duty to Register

The **Duty to Register** form is located at the South Dakota Sex Offender Registry website.

A copy may be obtained as follows:

1. Click [here](#) to access the **Duty to Register** by:
  - a. Placing mouse on the word "here" above.
  - b. Press and hold the "Ctrl" key on the keyboard.
  - c. Click the left button of mouse.
2. Or it may be accessed at is <https://sor.sd.gov/sdsoia/forms/dutyregisterform.pdf> by selecting **Duty to Register**.

| STATE OF SOUTH DAKOTA<br>SEX OFFENDER DUTY TO REGISTER   | Please Print or Type - List additional information on a separate piece of paper and attach, if necessary.  |
|--|--|
| <p>The sex offender registration laws in SDCL 22-24B-1 through 22-24B-32 apply to any person who has been convicted (either upon a verdict or a plea of guilty or plea of nolo contendere), or who has received a suspended imposition of sentence that has not been discharged pursuant to SDCL (23A-27-14), of a sex crime as defined in SDCL 22-24B-1, including convictions for attempt, conspiracy, or solicitation of sex crimes as defined in SDCL 22-24B-1. A foreign criminal conviction which requires registration as a sex offender pursuant to the laws of the state where the conviction took place also requires registration in South Dakota <b>within three (3) business days</b> of arrival into this state. The laws also apply to any juvenile fourteen (14) years of age or older shall register as a sex offender if that juvenile has been adjudicated of rape as defined in subdivision 22-24B-1(1), or of an out-of-state or federal offense that is comparable to the elements of these crimes of rape or any crime committed in another state if that state also requires a juvenile adjudicated of that crime to register as a sex offender in that state. Registration requires submission of certain information, including the offender's fingerprints, photograph, signature, DNA and other information.</p> <p>An offender must register <b>within three (3) business days</b> of coming into any county to reside, temporarily domicile, attend school, attend post-secondary education classes or work. Any offender registering in the state who is employed, comes on a vocation, or attends post secondary classes at an institution of higher education, institution of higher learning or technical institute in this state shall, <b>within three (3) business days</b> of any commencement or termination of such enrollment or employment, report to the registering agency where the institution is located and complete a Registration Update form. The registering agency is the Chief of Police of the municipality where the offender resides, domiciles, attends school, attends post-secondary education classes or works; or, if no Chief of Police exists, then it is the county Sheriff. Any offender registered in South Dakota who plans to enter another state to work, carry on a vocation or attend school must comply with that state's registration requirements as well.</p> <p>Any <b>change of residence address or location</b> requires the offender to submit, <b>within five (5) days</b> of the move, a Registration Update form to the law enforcement agency where the offender last registered. An offender registered in South Dakota who moves to another state must notify the registering agency in South Dakota where the offender last registered and provide information of their new address. The offender must also comply with any registration requirements in the new state of residency.</p> <p><b>Offenders must register every (6) six months.</b> They are first required to register on their birth month and then required to register six (6) months after their birth month. Each offender registered in South Dakota must go to the South Dakota law enforcement agency where the offender last registered. The offender will be sent once a year a non-forwardable verification form to their last known address. The offender is required to return the verification form to the Division of Criminal Investigation within 10 days. Failure to comply is a Class 6 Felony.</p> <p>Those required to register as sex offenders may NOT establish a residence or reside within a "community safety zone". The community safety zone is <b>500 feet</b> from the facilities and grounds of any school, public park, public playground, or public pool. If a sex offender committed a registrable offense in another state, they are subject to the residence restriction distance of that state, if it is greater than SD's 500 feet rule.</p> <p>A violation of the registration laws is a Class 6 Felony. Any subsequent violation is a Class 6 Felony.</p> | <p>Offender Name: _____<br/>Last First Middle</p> <p>Date of Birth: _____ Social Security #: ____/____/____</p> <p>Planned Physical Address Upon Release: _____</p> <p>Date of Release / Parole / Discharge / other: _____</p> <p>Expected Length of Stay: _____ Phone: ( ) _____</p> <p>I certify that my duty to register as a sex offender has been explained to me. I further certify the information I have furnished is true to the best of my knowledge. I understand that false reporting is a criminal offense, and that providing false information in this document will be considered failure to comply with SDCL 22-24B-1 through 22-24B-34 thus subjecting me to criminal penalties.</p> <p>DATE: _____ OFFENDER SIGNATURE: _____</p> <p>ADVISING AGENCY: _____ DATE: _____</p> <p>I certify that I have required the above-listed offender to read and sign the foregoing Sex Offender Duty to Register form, and I have explained the procedure for registration as required of me in SDCL 22-4B-13 or SDCL 22-24B-14.</p> <p>NAME: _____<br/>SIGNATURE: _____</p> <p>Advising agency shall mail within three days to the law enforcement registering agency where the offender will reside, and to the Division of Criminal Investigation, 1302 East Highway 14, Suite 5, Pierre, SD 57501-8505. SD:DCI (07/10)</p> <p><b>THIS IS NOT THE REGISTRATION FORM.</b></p> <p><b>Report to your local law enforcement agency within THREE (3) BUSINESS DAYS to register.</b></p> <p>Provide a copy of the Duty to the Offender.</p> <p>Mail copies to: Prosecuting Attorney; Agency where offender will reside &amp; DCI.</p> |