

Michigan State Police Sex Offender Registration



REVISION DATE: OCTOBER 2004

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SEX OFFENDER REGISTRATION LEGISLATION

1 FEDERAL LEGISLATION

1.1 THE JACOB WETTERLING ACT

The 1997 Federal Crime Act contained a provision called “The Jacob Wetterling Act” (42 USC 14071) requiring all states to pass a sex offender registration and notification law or face the loss of millions of dollars in federal crime prevention funds. Michigan’s allocation is approximately \$15 million annually and distributed to each county via a formula.

This act was named after 11-year old Jacob Wetterling who was abducted by a masked man at gunpoint near his home in October 1989. Jacob’s mother, Patty, became an advocate for missing children and was appointed to a Governor’s Task Force that recommended stronger sex offender registration requirements in Minnesota. Later, the U.S. Congress passed the “Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act” in Jacob’s honor.

1.2 MEGAN’S LAW

“Megan’s Law” was passed by the New Jersey Legislature in 1994. This amended the Wetterling Program with regard to the disclosure of information collected by a state sex offender registry program. The law gives states broad discretion to determine whom should be notified about offenders, under what circumstances, and about which offenders.

The law was named after 7-year old Megan Kanka accepted an invitation from a neighbor in Hamilton Township, New Jersey, to see his new puppy. The neighbor, Jesse Timmendequas, was a twice-convicted pedophile. He raped her, murdered her, and dumped her body in a nearby park. Megan’s parents stated that they never would have allowed her to travel the neighborhood freely if they had known that a convicted sex offender was living across the street.

1.3 PAM LYCHNER SEXUAL OFFENDER TRACKING AND IDENTIFICATION ACT OF 1996

The “Pam Lychner Sexual Offender Tracking and Identification Act of 1996” requires the Attorney General to establish a national database at the FBI to track the whereabouts and movements of certain convicted sex offenders. It tracks sex offenders with convictions of a criminal offense against a minor, sexually violent offenses, or if the offender is a sexually violent predator. It requires a lifetime registration requirement for certain serious offenders and recidivists.

SEX OFFENDER REGISTRATION LEGISLATION

The act was named after Houston real estate agent Pam Lychner who was preparing to show a vacant home to a prospective buyer. Awaiting her at the house was a twice-convicted felon who brutally assaulted her. Her husband arrived and saved her life. She then formed a victims rights advocacy group that lobbies for tougher sentences for violent criminals. Lychner and her two daughters were killed in the explosion of TWA Flight 800 off the coast of Long Island in July of 1996. Later that year, Congress passed the Pam Lychner Sexual Offender Tracking and Identification Act of 1996 in her memory.

1.4 THE “JACOB WETTERLING IMPROVEMENTS ACT OF 1997

The “Jacob Wetterling Improvements Act of 1997” mandated that sex offenders convicted in military, tribal, and federal courts are required to register in his or her state of residence. It also mandated that sex offenders required to register in his or her state of residence must also be registered in the state where they work and/or attend school. It also mandated that each state enacts anti-stalking laws for offenders adjudicated as juveniles.

1.5 THE 1998 APPROPRIATIONS ACT FOR COMMERCE, JUSTICE, AND STATE DEPARTMENTS

“The 1998 Appropriations Act for Commerce, Justice, and State Departments” requires states to participate in the FBI National Sex Offender Registry (NSOR). Additional offenses that require registration were added such as kidnapping of a minor. Registration is based on a range of offenses specified by state law, which must be comparable to or exceed the range of offenses in the Jacob Wetterling Act.

1.6 THE CAMPUS SEX CRIMES PREVENTION ACT OF 2000

“The Campus Sex Crimes Prevention Act of 2000” requires state and local law enforcement notification of a registered sex offender’s employment and/or student status at an institution of higher learning.

This act was enacted in memory of Jeanne Anne Clery, who was tortured, raped, sodomized, and murdered in her dormitory room at Lehigh University in 1986. Her killer was a drug and alcohol abuser, and a Lehigh student whom Jeanne had never met. Jeanne’s parents later discovered that 38 violent crimes had occurred on the Lehigh campus in the three years prior to her murder.

SEX OFFENDER REGISTRATION LEGISLATION

2 STATE LEGISLATION

2.1 1994-1995 MICHIGAN SEX OFFENDERS REGISTRATION ACT

The “Michigan Sex Offenders Act” (Public Acts 286, 287, 294 and 355 of 1994), requires registration, address information and address changes of persons convicted of certain sexual offenses or on parole for those offenses after October 1, 1995. It established a minimum registration period of 25 years, with lifetime registration requirements for second or subsequent offenses. The registration includes juvenile offenders. The registration information was available to law enforcement only and exempt from Freedom of Information Act (FOIA) requests. Failure to comply with the registration requirements is a four-year felony.

2.2 1996 MICHIGAN SEX OFFENDERS REGISTRATION ACT

Public Act 494 of 1996 opened the registry to the public. Public access was limited to public notification at his or her local law enforcement agency.

2.3 1999 MICHIGAN SEX OFFENDERS REGISTRATION ACT

Public Act 85 of 1999 made the sex registry information available to the public via the Internet. Additionally, the list of offenses for required registration was expanded and the ten-year after release from prison provision was added. Offenders who move out of Michigan must report the change of address to the Michigan State Police (MSP) and must comply with registration requirements in his or her new state of residency. Address verification requirements were added, the frequency of which dependent upon his or her conviction of a felony or misdemeanor.

2.4 2002 MICHIGAN SEX OFFENDERS REGISTRATION ACT

Public Act 542 of 2002 required all registered sex offenders, who attend and/or work at an institution of higher learning, to report his or her campus status to the local law enforcement agency having jurisdiction over the campus. The Act also required that the information be made available to the public.

2.5 2004 MICHIGAN SEX OFFENDERS REGISTRATION ACT

Public Act 237 of 2004 required offenders to pay a one-time fee of \$35.

Public Act 238 of 2004 required the inclusion of offender photographs to be available on the Public Sex Offenders (PSOR) website.

SEX OFFENDER REGISTRATION LEGISLATION

Public Act 239 of 2004 provided changes for offenders sentenced under the Holmes Youthful Trainee Act (HYTA). It restricts the availability of youthful trainee status to individuals who commit Criminal Sexual Conduct 3rd Degree or Criminal Sexual Conduct 4th Degree, if the only factor that led to the charges was that the victim had not reached the age of consent.

Public Act 240 of 2004 provided changes to the registration requirements as it relates to juveniles and persons assigned to youthful trainee status. Offenders assigned youthful trainee status after October 1, 2004 are not required to register as sex offenders unless the youthful trainee status is revoked and an adjudication of guilt is entered. The Act also allows juvenile offenders convicted of certain specific offenses to petition the court for alternative registration.



Note: The text of the legislation can be found at the Michigan Legislature web site, www.michiganlegislature.org or in [Appendix D](#) of this manual.

PUBLIC NOTIFICATION INFORMATION

3 PUBLIC NOTIFICATION INFORMATION

3.1 PUBLIC NOTIFICATION AT LAW ENFORCEMENT AGENCIES

The 1996 amendments to the Act provided for public access to printed sex offender registries. All Michigan State Police posts, sheriff's departments and local law enforcement agencies must have a Public Sex Offender Registration (PSOR) list available for public inspection during regular business hours. It is recommended that all agencies periodically run a PSOR list by his or her zip code(s) for public viewing. Agencies are not required to make a copy or otherwise provide a hard copy for the public. The PSOR list will not contain offenders adjudicated as juveniles.



Note: A PSOR inquiry requires the following data elements:

SCAN LINE	DEFINITION
48	Zip Code
55	Operator
56	For

Example of a PSOR LEIN Inquiry:

PSOR.48:48413.55:SGT C SHELL.56:PO RAY BROWN/BIG CITY PD.

3.2 PUBLIC INFORMATION ON THE INTERNET

The public can access the PSOR web site at www.mipsor.state.mi.us. It is updated directly from LEIN and the information is current as of 6:00 am each morning. The web site also includes:

- ◆ Terms and definitions of all registerable offenses
- ◆ Link to the Sex Offenders Registration Act
- ◆ Frequently Asked Questions

The registry can be searched by:

- ◆ Zip code
- ◆ First and last name and estimated age plus or minus 5 years (all three fields are required for this type of search)

PUBLIC NOTIFICATION INFORMATION

MICHIGAN Public Sex Offender Registry (PSOR) Inquiry

This information is being provided in accordance with the [Sex Offenders Registration Act](#) as amended in 1999. This Sex Offender Registry is updated daily at 6:00 A.M. The information contained in this registry is obtained by local law enforcement agencies when Sexual Offenders register with those local agencies. For questions or concerns regarding the contact the Michigan State Police, Criminal Justice Information Center, Identification Section, 7150 Harris Drive, Lansing MI 48915 (517) 322-5098. Please read [Frequently Asked Questions](#) prior to calling.

ZIP Code Search	Name and Age Search
<input type="text"/> 5 Digit ZIP code	<input type="text" value="John"/> First Name
<input type="button" value="Search by ZIP"/>	<input type="text" value="Smith"/> Last Name
	<input type="text" value="40"/> Estimated Age (within 5 years)
	<input type="button" value="Search by Name"/>

Enter **First Name**.

Enter **Last Name**.

The **Estimated Age** field must be used to perform a name and age search.

FREQUENTLY ASKED
QUESTIONS


SEX OFFENDERS
REGISTRATION ACT


PUBLIC NOTIFICATION INFORMATION


After a successful search is complete, the following information will be provided:

①10476703
②Name: SOR/TEST/RECORD/ Sex: M Race: W Dob: 07/07/1970
③Height: 600 Weight: 180 Hair: BROWN Eye: BROWN
④Address: 123 ANY ST City: BIG CITY State: MI Zip: 48823
⑤Offense: 750.158 Description: SODOMY
Offense: 750.335A Description: INDECENT EXPOSURE
⑥Alias: TEST/SOR/DATA/

	Explanation
①	System ID# assigned to each sex offender registration record
②	Name of offender, sex, race and date of birth
③	Offender's height, weight, hair and eye colors
④	Offender's address or "address unknown" or if incarcerated, the facility address
⑤	MCL Offense code and description of the code
⑥	Alias

 **FYI:** The numbers above are for clarification purposes only, they will not appear on the report.

 **Note:** If a search is not successful, the search results page will indicate that no records exist for the criteria that you entered.

 **Questions:** For further information concerning the Sex Offender Registration process and legal requirements, please refer to the Frequently Asked Questions in this manual.

REGISTRATION

4 REGISTRATION

4.1 PERSONS REQUIRED TO BE REGISTERED

The following persons are required to register as a sex offender:

- ♦ Any person who has been convicted of a listed offense on or after October 1, 1995. A summary of Michigan listed sex offenses can be found on [page B-1](#) of this manual.
- ♦ Any person who was convicted of a listed offense prior to October 1, 1995, who was under the supervision of a criminal justice agency, such as prison, parole, probation or juvenile court for the listed offense
- ♦ Any person registered or required to be registered in another state or country who is residing, temporarily residing, working or attending school in Michigan

4.2 INITIAL REGISTRATION

4.2.1 MICHIGAN OFFENDERS – AT TIME OF CONVICTION

Prior to sentencing, entry of the order of disposition or assignment to youthful trainee status, the probation officer and/or juvenile division of the probate court shall be responsible for initial registration.

4.2.2 MICHIGAN OFFENDERS – POST CONVICTION

Any person no longer under the supervision of the court or Department of Corrections who was not registered shall be registered by the law enforcement agency having contact with the offender.

4.2.3 OFFENDERS CONVICTED IN OTHER STATES

Offenders who are registered or required to be registered in another state shall be registered by the law enforcement agency having jurisdiction over the offender's residence.

4.3 IDENTIFICATION REQUIREMENTS

All registered sex offenders shall maintain either a valid Michigan operator or chauffeur license or a Michigan personal identification card with a digitized photograph. The address on the card shall match the current address on the sex offender registry. This card must be used as proof of residence. Agencies may request other proof of residency, such as a voter registration card or utility bill, until the agency is satisfied that proof of residency has been established.

REGISTRATION

4.4 REGISTRATION DURATION

The registration requirement applies for 25 years following conviction, or a minimum of 10 years after being released from prison, whichever is longer. If a person has been convicted of a second or subsequent conviction, regardless of when the first conviction occurred, the registration requirement is life.

In some cases, juveniles who meet certain requirements are eligible to petition the court for alternative registration. Juveniles whom petitions have been granted by the court will register until age 18, or as ordered by the court, whichever is first.

There are some first offenses that require automatic lifetime registration. Those offenses are:

750.520b	CSC 1 st Degree
750.520c(1)a	CSC 2 nd Degree (victim under 13)
750.349	Kidnapping
750.350	Child Kidnapping
750.145c(2) & (3)	Child Sexually Abusive Commercial Activity

4.5 REGISTRATION FEES

All registered sex offenders must pay a one-time \$35 registration fee. This fee may only be collected at a local law enforcement agency, sheriff department, or State Police post.

4.6 METHOD AND TIME REQUIREMENTS

Registrations will be done on LEIN. LEIN shall serve as the computerized database for registrations of convicted sex offenders. Refer to the LEIN Policy Manual or contact Michigan State Police, LEIN Field Services Section for information to complete these requirements.

The registration entry must be completed within 3 business days of receiving the information. The Michigan Sex Offender Registration Form (DD-4) must be completed prior to entering the information to ensure all necessary information is entered and a copy must be provided to the offender.

4.7 DD-4 COMPLETION

The Act requires the offender receive a copy of the initial registration. The DD-4 shall be used for this purpose. The registration form shall be completed by the agency official.

Do NOT allow the offender to complete either form.

Both the registering official and offender shall sign and date the form. If an offender refuses to sign the form, the agency official shall write "Refused to Sign" on the offender's signature line and forward to the address below. If appropriate, have the parent and/or guardian of a juvenile offender sign the forms. Refusal to sign the registration form is a 93-day misdemeanor.

REGISTRATION

A copy of the DD-4 form (at initial registration only) shall then be forwarded to:

**Michigan State Police
Sex Offender Registration Unit
7150 Harris Drive
Lansing, MI 48913**

REGISTRATION

4.8 DD-4 INSTRUCTIONS

STEP ONE:

- ☐ OFFENDER SHALL PRESENT HIS OR HER VALID MICHIGAN DRIVER'S LICENSE OR MICHIGAN PERSONAL ID CARD. This is used as proof of residency.

STEP TWO

- ☐ QUERY SOR RECORD (LEIN) to ensure offender has no pre-existing record.
- ☐ DD-4 provided by the court, go to step three
- ☐ RUN CRIMINAL HISTORY RECORD to determine conviction and duration of registration.

STEP THREE

- ☐ COMPLETE DD-4 Do not allow the offender to complete this form.
- ☐ REGISTERING OFFICIAL AND OFFENDER must sign the DD-4.

STEP FOUR

- ☐ PROVIDE COPY OF DD-4 FORM TO OFFENDER

STEP FIVE

- ☐ ENTER DD-4 information into LEIN using the QSOR message key.
- ☐ QUERY SOR RECORD (LEIN) to ensure all information has been entered correctly.
- ☐ The original should be forwarded to:

Michigan State Police
Sex Offender Registration Unit
7150 Harris Drive
Lansing, MI 48913

MICHIGAN SEX OFFENDER REGISTRATION

Portions of this registration are **confidential**. Disclosure of confidential information is protected by the Federal Privacy Act.

THIS SECTION FOR INITIAL REGISTRATION

MDOC _____

REGISTRATION	REGISTRANT NAME (Last, First, Middle) Doe, John David			ALIAS(S) Doe, David John				
	STREET ADDRESS 123 Main Street		APT/LOT	CITY Some Town	STATE MI	ZIP 48823	COUNTY 33	
	DATE OF BIRTH 6-6-72		SOCIAL SECURITY 123-45-6789		STATE ID 123456A		FBI 123456AB7	
	DRIVER LICENSE D123-456-789-012		RACE White	SEX Male	HEIGHT 6'0"	WEIGHT 225	HAIR Brown	EYE Blue
	PLACE OF BIRTH California	SKIN TONE Fair	SMT Tattoo: Chest Scar: L Wrist		FINGERPRINT CLASSIFICATION 15 10 11 16 04 11 09 11 17 13			
	DNA AVAILABLE Yes	DNA LOCATION Michigan State Police Forensic Lab Storage					BLOOD TYPE 0+	
	DATE REGISTERED 10-1-2004	REGISTRATION DURATION <input type="checkbox"/> 10 YEARS <input type="checkbox"/> 25 YEARS <input checked="" type="checkbox"/> LIFETIME		EXEMPT FROM VERIFICATION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		VERIFICATION REQUIREMENT <input checked="" type="checkbox"/> QUARTERLY <input type="checkbox"/> YEARLY		
CONVICTION	OFFENSE CSC 3rd (Person 13-15)		STATUTE 750.520D1A	DOCKET 01-2345-67	COUNTY 33	STATE MI	DATE OF CONVICTION 8-1-2004	
	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION	
	TYPE OF REGISTRATION <input type="checkbox"/> MICHIGAN <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> FEDERAL/ MILITARY <input type="checkbox"/> TRIBAL		CONVICTION TYPE <input type="checkbox"/> JUVENILE ADJUDICATION <input type="checkbox"/> ADULT CONVICTION <input type="checkbox"/> HYTA		DATE OF OFFENSE 1-1-2004		VICTIM'S AGE AT OFFENSE 14	
					CTN 33-01234567-89			
	REMARKS SUBJECT HAD INTERCOURSE WITH DAUGHTER OF LIVE-IN GIRLFRIEND							
CAMPUS	CAMPUS CODE	CAMPUS CITY		<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		
	CAMPUS CODE	CAMPUS CITY		<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		

THIS SECTION FOR VERIFICATION AND CHANGE OF ADDRESS

<input type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input type="checkbox"/> MOVING OUT OF STATE	<input type="checkbox"/> INCARCERATED
SYSIDNO	REGISTRANT NAME (Last, First, Middle)		DRIVER LICENSE
STREET ADDRESS	APT/LOT	CITY	STATE ZIP COUNTY

THIS SECTION FOR RECEIPT OF \$35 REGISTRATION FEE PAYMENT

PAYMENT MADE <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	METHOD OF PAYMENT Cash	REASON FOR NONPAYMENT	SIGNATURE OF REGISTERING OFFICIAL <i>Sgt. Jane Smith</i>
--	---------------------------	-----------------------	---

SIGNATURES	SIGNATURE OF OFFENDER <i>John Doe</i>		SIGNATURE OF PARENT OR GUARDIAN	
	SIGNATURE OF REGISTERING OFFICIAL <i>Sgt. Jane Smith</i>		PRINTED NAME OF REGISTERING OFFICIAL Sgt. Jane Smith	
	REGISTERING AGENCY Michigan State Police Post 99		ORI MI0123456	DATE 10-1-2004
			(M.C.L.A. 28.721, 1994 PA 295, Amended 1996, 1999, 2002, 2004)	
Mail to: Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913				

NOTIFICATION

5 NOTIFICATION

The Act requires that all registered sex offenders are notified of his or her responsibilities under the Act. All offenders are explained his/her duties and responsibilities while registered as a sex offender and are notified in writing of any legislative changes to the Sex Offenders Registration Act. The DD-4A form, Explanation of Duties to Register as a Sex Offender, is used for this purpose.

5.1 NOTIFICATION AT INITIAL REGISTRATION

5.1.1 COURT, PROBATION OR PAROLE

The DD-4A form will be explained to the offender upon initial registration by the authorized court, probation or parole employee.

5.1.2 OFFENDERS CONVICTED IN ANOTHER STATE

The DD-4A form will be explained to offenders, whom are not currently being supervised by a court, probation or parole office, by the local law enforcement agency, sheriff department, or State Police post who has jurisdiction over the offender's residence.

5.2 NOTIFICATION AFTER INITIAL REGISTRATION

5.2.1 COURT, PROBATION OR PAROLE

If an offender is currently under the supervision of a court, probation or parole office, and has not been notified of his or her responsibilities as a registered sex offender, the DD-4A form will be explained to the offender by court, probation, or parole personnel.

5.2.2 MICHIGAN DEPARTMENT OF CORRECTIONS PRISONER

If an offender is incarcerated, the DD-4A form will be explained to the offender by an MDOC authorized employee just prior to his/her release.

5.2.3 OFFENDERS CONVICTED OUT OF STATE

If an offender was convicted in another state, the local law enforcement agency, sheriff department, or State Police post who has jurisdiction over the offender's residence.

5.3 AGENCY RESPONSIBILITY

Each agency shall ensure that a notification form is completed and submitted for all persons residing in his or her jurisdiction.

NOTIFICATION

5.4 RETENTION OF DD-4A FORM

In all cases, the original DD-4A form, with or without the individual's signature shall be mailed to:

**Michigan State Police
Sex Offender Registration Unit
7150 Harris Drive
Lansing, MI 48913**

The DD-4A will be kept on file as evidence that the offender was explained his duties and responsibilities as required under the Act.

5.5 CERTIFIED COPIES OF DD-4A

Certified copies of DD-4A forms are available from the Sex Offender Registration Unit. When submitting a request for certified copies, you must include the following information:

- ◆ Offender name and date of birth
- ◆ Requestor's name and title
- ◆ Requesting agency name and complete mailing address

NOTIFICATION

DD-4A (8/2004)
Michigan State Police

EXPLANATION OF DUTIES TO REGISTER AS A SEX OFFENDER

Pursuant to Michigan Public Act 295 of 1994 as amended in 1996, 1999, and 2002, and in accordance with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 United States Code 14071), Pam Lychner Sexual Offender Tracking and Identification Act of 1996 (42 United States Code 14072), and the Campus Sex Crimes Prevention Act (42 United States Code 14071), you are hereby notified of your responsibilities to register as a convicted sex offender.

Offender must initial each of the following:

- JD I understand that it is my duty to register as a sexual offender. I understand that failure to sign the form(s) is a misdemeanor and shall result in criminal prosecution.
- JD I understand that I must register for a period of 25 years or a minimum of 10 years after being released from prison, whichever is longer. I understand that registration will be for LIFE for a second or subsequent conviction of a registerable offense or for a first conviction of one of the following crimes: 750.520b: Criminal Sexual Conduct 1st Degree; 750.520c(1)(a): Criminal Sexual Conduct 2nd Degree (Person under 13); 750.349: Kidnapping; 750.350: Child Kidnapping; 750.145c(2)(3): Child Sexually Abusive Commercial Activity, or the attempt of any of the above listed offenses.
- JD I understand that if I was adjudicated as a juvenile or sentenced under the Holmes Youthful Trainee Act, I may be eligible to petition the court for alternative registration duration. I understand that it is my responsibility to petition the sentencing court in a manner prescribed by the court.
- JD I understand that within ten days of changing my residence, I must report in person to the local law enforcement agency, sheriff's department, or State Police post having jurisdiction over my residence and provide the new address. I understand that failure to report a change of address is a felony and shall result in criminal prosecution.
- JD I understand that within fourteen days of moving into this state, if I am registered or required to be registered as a sex offender in another state, I must register as a sex offender at the local law enforcement agency, sheriff's department, or State Police post having jurisdiction over my residence. I understand that failure to report a change of address is a felony and shall result in criminal prosecution.
- JD I understand that ten days prior to changing my residence to another state, I must report in person to the nearest State Police post and provide my new address. Upon moving, I shall comply with the registration requirements of that state. I understand that failure to report a change of address is a felony and shall result in criminal prosecution.
- JD I understand that I shall maintain either a valid Michigan operator or chauffeur license or Michigan personal identification card with digitized photograph. The address on this card shall match my current address on the sex offender registry. This card may be used as proof of residence. Other proof of residency may be required, such as a voter registration card or utility bill. I understand that my digitized photograph will be included on the public sex offender registry web site.
- JD I understand that I shall pay a one-time registration fee of \$35.00. I understand that if I am determined to be indigent by the collecting agency, this fee will be waived temporarily. I understand that failing to pay the registration fee is a misdemeanor and shall result in criminal prosecution.
- JD I understand that I shall have my fingerprints taken, if not already on file with the department of State Police. I understand that those fingerprints will be forwarded to the Federal Bureau of Investigation, if not already on file with the Federal Bureau of Investigation. I understand that I must be reprinted if my fingerprints were expunged and/or returned to me.
- JD I understand that if I am registered for a misdemeanor listed offense, I shall verify my address between January 1 and January 15 of each year and if I am registered for a felony listed offense, I shall verify my address during the first fifteen days of January, April, July and October of each year. During this verification, I shall report to the local law enforcement agency, sheriff's department, or State Police post having jurisdiction over my address and provide proof of residency. Note: 750.520e: Criminal Sexual Conduct 4th Degree is a felony listed offense. I understand that failing to verify my address is a misdemeanor and shall result in criminal prosecution.
- JD I understand that if I attend, am employed, or volunteer at an institute of higher learning, I must report in person the name and location of the campus as well as my status either as a student or employee to my local law enforcement agency, sheriff's department, or State Police post. I understand that any change in status must be reported within 10 days. I understand that failure to report status at an institute of higher learning is a felony and shall result in criminal prosecution.
- JD I acknowledge that I have read and/or had read to me, the above requirements as set forth by statute.

John Doe
SIGNATURE OF OFFENDER

SIGNATURE OF PARENT OR GUARDIAN (JUVENILE OFFENDERS ONLY)

TO BE COMPLETED BY NOTIFYING OFFICIAL (DO NOT LEAVE SECTIONS BLANK)

PRINTED NAME OF OFFENDER DOE, JOHN DAVID DATE OF BIRTH 6-6-1972

SSN 123-45-6789 SID 123456A FBI 123456AB7 DOC/Prison _____

I certify that I specifically informed the offender of his/her duties as set forth above and he/she indicated to me an understanding of those duties.

Sgt. Jane Smith SGT. JANE SMITH
SIGNATURE OF NOTIFYING OFFICIAL PRINTED NAME/RANK OR POSITION OF NOTIFYING OFFICIAL

NOTIFYING AGENCY MICHIGAN STATE POLICE POST 99 DATE 1-1-2004

Mail the original to: Michigan State Police, Criminal Justice Information Center
Sex Offender Registration
7150 Harris Drive
Lansing, MI 48913

(M.C.L.A. 28.721, 1994 MI P.A. 295,
Amended 1996, 1999, 2002, 2004)

ADDRESS VERIFICATION

6 ADDRESS VERIFICATION

All registered sex offenders are required to verify his or her address.

In some cases, juveniles who meet certain requirements are eligible to petition the court for alternative registration. Juveniles for whom petitions are granted by the court will be exempt from verification.

6.1 AGENCY RESPONSIBILITY

The offender will report to the local law enforcement agency, sheriff department, or State Police post having jurisdiction over the offender's residence for verification. Law enforcement agencies are responsible for the verification of all offenders living within his or her jurisdiction.

6.2 IDENTIFICATION REQUIREMENTS

All registered sex offenders shall maintain either a valid Michigan operator or chauffeur license or a Michigan personal identification card with a digitized photograph. The address on the card shall match the current address on the sex offender registry. This card must be used as proof of residence. Agencies may request other proof of residency, such as a voter registration card or utility bill, until the agency is satisfied that proof of residency has been established.

6.3 VERIFICATION PERIODS

The offender must register during the appropriate verification period. Verification periods remain the same each year. Yearly or quarterly verification is based on the offense. A summary of Michigan Listed Sex Offenses can be found on [page B-1](#) of this manual.

The verification periods are:

Verification Period	Offense	Dates
Yearly	Misdemeanor Listed Offenses	January 1 to January 15
Quarterly	Felony Listed Offenses	January 1 to January 15 April 1 to April 15 July 1 to July 15 October 1 to October 15

6.4 DD-4 COMPLETION

The Act requires that the offender receive proof of verification. The DD-4 shall be used for this purpose. The verification section of the registration form shall be completed by the agency official. **Do not allow the offender to complete the form.** Both the registering official and offender shall sign and date the form. If the offender refuses to sign the form, the agency official shall write "Refused to Sign" on the offender's signature line and forward to the address below. If appropriate, have the parent and/or guardian of a juvenile offender sign the forms. Refusal to sign the registration form is a 93 day misdemeanor.

ADDRESS VERIFICATION

This form shall then be forwarded to:

**Michigan State Police
Sex Offender Registration Unit
7150 Harris Drive
Lansing, MI 48913**

6.5 ENFORCEMENT

At the end of each verification month, LEIN shall make available, by zip code, a list of persons failing to verify his or her address for that period. The list is available using the VSOR message key. Each law enforcement agency is strongly encouraged to take rapid and appropriate enforcement action for these violations of the Act.

Agencies may provide a list of zip codes for which the agency has jurisdiction and the MSP SOR Unit will provide a list of the offenders who are in felony violation in his or her jurisdiction.

ADDRESS VERIFICATION

6.6 ADDRESS VERIFICATION DD-4 INSTRUCTIONS

STEP ONE:

- ☐ **PRESENT IDENTIFICATION: OFFENDER SHALL PRESENT HIS OR HER VALID MICHIGAN DRIVER'S LICENSE OR MICHIGAN PERSONAL ID CARD.** This is used as proof of residency.

STEP TWO

- ☐ **QUERY SOR RECORD (LEIN) AND CHECK FOR LAST DATE OF ADDRESS VERIFICATION.** If the offender has missed his or her previous verification date, you should save all LEIN work for possible warrant request submissions. Once the address is verified, all prior verification data is overwritten and is not retrievable by the MSP Data Center.
- ☐ **CHECK SOR RECORD (LEIN) FOR "CAMPUS NOTIFICATION MADE TO OFFENDER FLAG"** If this statement is not on the SOR record, complete a DD-4A (Explanation of Duties to Register as a Sex Offender).

STEP THREE

- ☐ **COMPLETE "ADDRESS VERIFICATION" PORTION OF THE DD-4.** Do not allow the offender to fill out this form
- ☐ **COMPLETE DD-4A IF NEEDED.** Do not allow the offender to fill out this form.
- ☐ **REGISTERING OFFICIAL AND OFFENDER OR PARENT/GUARDIAN** must sign the DD-4 (and DD-4A if completed). Refusal by the offender to sign either form is a 93-day misdemeanor.
- ☐ **MAIL COPY OF DD-4 (AND DD-4A IF COMPLETED) TO:**

**MICHIGAN STATE POLICE
SEX OFFENDER REGISTRATION UNIT
7150 HARRIS DRIVE
LANSING, MI 48913**

STEP FOUR

- ☐ **ACTIVATE "ADDRESS VERIFICATION FLAG" IN LEIN.**



Note: During the January verification period, all **currently** registered offenders are required to pay the \$35 registration fee, unless proof of indigence is proven. New registrants will pay the \$35 registration fee **at the time of the first address verification.**

Remember to set the LEIN flag to **Y** or **I** to indicate payment.

MICHIGAN SEX OFFENDER REGISTRATION

Portions of this registration are **confidential**. Disclosure of confidential information is protected by the Federal Privacy Act.

THIS SECTION FOR INITIAL REGISTRATION

MDOC _____

REGISTRATION	REGISTRANT NAME (Last, First, Middle)				ALIAS(S)				
	STREET ADDRESS			APT/LOT	CITY		STATE	ZIP	COUNTY
	DATE OF BIRTH		SOCIAL SECURITY		STATE ID		FBI		
	DRIVER LICENSE		RACE	SEX	HEIGHT	WEIGHT	HAIR	EYE	
	PLACE OF BIRTH	SKIN TONE	SMT		FINGERPRINT CLASSIFICATION				
	DNA AVAILABLE	DNA LOCATION						BLOOD TYPE	
CONVICTION	DATE REGISTERED	REGISTRATION DURATION <input type="checkbox"/> 10 YEARS <input type="checkbox"/> 25 YEARS <input type="checkbox"/> LIFETIME		EXEMPT FROM VERIFICATION? <input type="checkbox"/> YES <input type="checkbox"/> NO		VERIFICATION REQUIREMENT <input type="checkbox"/> QUARTERLY <input type="checkbox"/> YEARLY			
	OFFENSE	STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION			
	OFFENSE	STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION			
	TYPE OF REGISTRATION <input type="checkbox"/> MICHIGAN <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> FEDERAL/ MILITARY <input type="checkbox"/> TRIBAL		CONVICTION TYPE <input type="checkbox"/> JUVENILE ADJUDICATION <input type="checkbox"/> ADULT CONVICTION <input type="checkbox"/> HYTA		DATE OF OFFENSE		VICTIM'S AGE AT OFFENSE		
	CTN								
CAMPUS	REMARKS								
	CAMPUS CODE	CAMPUS CITY		<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED			
	CAMPUS CODE	CAMPUS CITY		<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED			

THIS SECTION FOR VERIFICATION AND CHANGE OF ADDRESS

<input type="checkbox"/> CHANGE OF ADDRESS	<input checked="" type="checkbox"/> ADDRESS VERIFICATION	<input type="checkbox"/> MOVING OUT OF STATE	<input type="checkbox"/> INCARCERATED
SYSIDNO 12345678	REGISTRANT NAME (Last, First, Middle) DOE, JOHN DAVID		DRIVER LICENSE D123-456-789-012
STREET ADDRESS 456 SOME STREET	APT/LOT	CITY ANY TOWN	STATE MI
			ZIP 48823
			COUNTY 33

THIS SECTION FOR RECEIPT OF \$35 REGISTRATION FEE PAYMENT

PAYMENT MADE <input type="checkbox"/> YES <input type="checkbox"/> NO	METHOD OF PAYMENT	REASON FOR NONPAYMENT	SIGNATURE OF REGISTERING OFFICIAL
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SIGNATURES	SIGNATURE OF OFFENDER <i>John Doe</i>		SIGNATURE OF PARENT OR GUARDIAN	
	SIGNATURE OF REGISTERING OFFICIAL <i>Sgt. Jane Smith</i>		PRINTED NAME OF REGISTERING OFFICIAL JANE SMITH/ SERGEANT	
	REGISTERING AGENCY MICHIGAN STATE POLICE POST 99		ORI MI0123456	DATE 1/1/05
			(M.C.L.A. 28.721, 1994 PA 295, Amended 1996, 1999, 2002, 2004)	

OFFENDER CHANGE OF ADDRESS WITHIN MICHIGAN

7 OFFENDER CHANGE OF ADDRESS WITHIN MICHIGAN

To report an address change within Michigan, the offender shall appear at the local law enforcement agency, sheriff department, or State Police post having jurisdiction over the offender's address within 10 days of the change. Failure to report change of residence is a felony.

7.1 IDENTIFICATION REQUIREMENTS

All registered sex offenders shall maintain either a valid Michigan operator or chauffeur license or a Michigan personal identification card with a digitized photograph. The address on the card shall match the current address on the sex offender registry. This card must be used as proof of residence. Agencies may request other proof of residency, such as a voter registration card or utility bill, until the agency is satisfied that proof of residency has been established.

7.2 LAW ENFORCEMENT RESPONSIBILITIES

7.2.1 TRANSFER TO COMMUNITY RESIDENTIAL PROGRAM OR MINIMUM CUSTODY FACILITY

If the person is in prison and is transferred to a community residential program or a minimum custody facility of any kind, the Michigan Department of Corrections shall notify the affected local police agency, sheriff department, or State Police post with **10** days.

7.3 DD-4 COMPLETION

The Act requires that the offender receive proof of address change. The DD-4 shall be used for this purpose. The address change section of the registration form shall be completed by the agency official. **Do not allow the offender to complete the form.** Both the registering official and offender shall sign and date the form. If the offender refuses to sign the form, the agency official shall write "Refused to Sign" on the offender's signature line and forward to the address below. If appropriate, have the parent and/or guardian of a juvenile offender sign the forms. Refusal to sign the registration form is a 93-day misdemeanor.

OFFENDER CHANGE OF ADDRESS WITHIN MICHIGAN

7.4 CHANGE OF ADDRESS WITHIN MICHIGAN DD-4 INSTRUCTIONS

STEP ONE:

- ☐ **PRESENT IDENTIFICATION: OFFENDER SHALL PRESENT HIS OR HER VALID MICHIGAN DRIVER'S LICENSE OR MICHIGAN PERSONAL ID CARD.** This is used as proof of residency.

STEP TWO

- ☐ **QUERY SOR RECORD (LEIN) AND CHECK FOR "CAMPUS NOTIFICATION MADE TO OFFENDER FLAG"** If this statement is not on the SOR record, complete a DD-4A (Explanation of Duties to Register as a Sex Offender).

STEP THREE

- ☐ **COMPLETE "CHANGE OF ADDRESS" PORTION OF THE DD-4.** Do not allow the offender to fill out this form. If the offender is homeless, enter 123 Homeless as the street address.
- ☐ **COMPLETE DD-4A IF NEEDED.** Do not allow the offender to fill out this form.
- ☐ **REGISTERING OFFICIAL AND OFFENDER** must sign the DD-4 (and DD-4A if completed). Refusal by the offender to sign either form is a 93-day misdemeanor.
- ☐ **A COPY MUST BE GIVEN TO THE OFFENDER FOR PROOF OF ADDRESS CHANGE.**
- ☐ **MAIL COPY OF DD-4A, IF COMPLETED TO:**

**MICHIGAN STATE POLICE
SEX OFFENDER REGISTRATION UNIT
7150 HARRIS DRIVE
LANSING, MI 48913**

STEP FOUR

- ☐ **ENTER DD-4 INFORMATION INTO LEIN**

MICHIGAN SEX OFFENDER REGISTRATIONPortions of this registration are **confidential**. Disclosure of confidential information is protected by the Federal Privacy Act.**THIS SECTION FOR INITIAL REGISTRATION**

MDOC _____

REGISTRATION	REGISTRANT NAME (Last, First, Middle)				ALIAS(S)				
	STREET ADDRESS			APT/LOT	CITY		STATE	ZIP	COUNTY
	DATE OF BIRTH		SOCIAL SECURITY		STATE ID		FBI		
	DRIVER LICENSE		RACE	SEX	HEIGHT	WEIGHT	HAIR	EYE	
	PLACE OF BIRTH	SKIN TONE	SMT		FINGERPRINT CLASSIFICATION				
	DNA AVAILABLE	DNA LOCATION						BLOOD TYPE	
	DATE REGISTERED	REGISTRATION DURATION <input type="checkbox"/> 10 YEARS <input type="checkbox"/> 25 YEARS <input type="checkbox"/> LIFETIME		EXEMPT FROM VERIFICATION? <input type="checkbox"/> YES <input type="checkbox"/> NO		VERIFICATION REQUIREMENT <input type="checkbox"/> QUARTERLY <input type="checkbox"/> YEARLY			
CONVICTION	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION		
	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION		
	TYPE OF REGISTRATION <input type="checkbox"/> MICHIGAN <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> FEDERAL/ MILITARY <input type="checkbox"/> TRIBAL		CONVICTION TYPE <input type="checkbox"/> JUVENILE ADJUDICATION <input type="checkbox"/> ADULT CONVICTION <input type="checkbox"/> HYTA		DATE OF OFFENSE		VICTIM'S AGE AT OFFENSE		
					CTN				
	REMARKS								
CAMPUS	CAMPUS CODE	CAMPUS CITY			<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		
	CAMPUS CODE	CAMPUS CITY			<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		

THIS SECTION FOR VERIFICATION AND CHANGE OF ADDRESS

<input checked="" type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input type="checkbox"/> MOVING OUT OF STATE	<input type="checkbox"/> INCARCERATED
SYSIDNO 12345678	REGISTRANT NAME (Last, First, Middle) Doe, John David		DRIVER LICENSE D123-456-789-012
STREET ADDRESS 456 Some Street	APT/LOT	CITY Some Town	STATE MI
			ZIP 48823
			COUNTY 33

THIS SECTION FOR RECEIPT OF \$35 REGISTRATION FEE PAYMENT

PAYMENT MADE <input type="checkbox"/> YES <input type="checkbox"/> NO	METHOD OF PAYMENT	REASON FOR NONPAYMENT	SIGNATURE OF REGISTERING OFFICIAL
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SIGNATURES	SIGNATURE OF OFFENDER <i>John Doe</i>		SIGNATURE OF PARENT OR GUARDIAN	
	SIGNATURE OF REGISTERING OFFICIAL <i>Sgt. Jane Smith</i>		PRINTED NAME OF REGISTERING OFFICIAL Sgt. Jane Smith	
	REGISTERING AGENCY Michigan State Police Post 99		ORI MI0123456	DATE 1-1-05
			(M.C.L.A. 28.721, 1994 PA 295, Amended 1996, 1999, 2002, 2004)	
Mail to: Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913				

CHANGE OF ADDRESS OUT OF STATE

8 CHANGE OF ADDRESS OUT OF STATE

The offender must report in person to the State Police post having jurisdiction over his/her residence and report a change of address out of state 10 days prior to the move.

8.1 OFFENDER RESPONSIBILITIES

8.1.1 IDENTIFICATION

All registered sex offenders shall maintain either a valid Michigan Operator or Chauffeur License or a Michigan Personal Identification Card with a digitized photograph. The address on the card shall match the current address on the sex offender registry. This card must be used as proof of residence. Agencies may request other proof of residency, such as a voter registration card or utility bill, until the agency is satisfied that proof of residency has been established.

8.1.2 REPORTING CHANGE OF ADDRESS

The offender will provide the city and state to which they are moving, along with the complete address, if known.

8.1.3 COMPLIANCE WITH REGISTRATION IN NEW STATE

Upon moving to another state, the offender shall comply with the registration requirements of that state.

8.2 LAW ENFORCEMENT RESPONSIBILITIES

8.2.1 LOCAL POLICE AGENCIES

Local police agencies shall direct any individual who reports a change of address to another state to the nearest Michigan State Police post to process the out of state change of address.

8.2.2 MICHIGAN STATE POLICE POSTS

The Act requires that the offender receive proof of address change. The DD-4 shall be used for this purpose. The address change section of the registration form shall be completed by Michigan State Police officials. **Do not allow the offender to complete the form.** Both the registering official and offender shall sign and date the form. If the offender refuses to sign the form, the official shall write "Refused to Sign" on the offender's signature line and forward to the address below. If appropriate, have the parent and/or guardian of a juvenile offender sign the forms. Refusal to sign the registration form is a 93 day misdemeanor.

CHANGE OF ADDRESS OUT OF STATE

The form shall then be mailed to:

**Michigan State Police
Sex Offender Registration Unit
7150 Harris Drive
Lansing, MI 48913**

8.2.3 SEX OFFENDER REGISTRY STAFF

The Sex Offender Registry staff shall prepare the necessary documents and forward to the new state. They shall provide essential information to the state registering agency in order to facilitate registration in the new state.

8.3 DEPLOYED SEX OFFENDERS

Registered sex offenders who are deployed by the U.S. Government out of the country or within the United States should be processed as such in LEIN. The offender must report, in person, this information 10 days prior to deployment. The offender may have to comply with the registration requirements in the location where he or she is temporarily residing during the military mission. The offender must update his or her address upon his or her return to Michigan.

When entering the address change into LEIN, you should type "Deployed" in the street scan line. The remainder of the scan lines are as required.

8.4 DEPORTED SEX OFFENDERS

Registered sex offenders who are deported by the U.S. Government should be processed as such in LEIN.

Documentation for deportation should be forwarded to the MSP SOR Unit where it will be retained in the offender's file for future inquiry. Documentation may include, but is not limited to:

- ◆ Police report
- ◆ Deportation documents
- ◆ Department of Corrections correspondence indicating deportation
- ◆ LEIN verification of deportation

When entering the address change into LEIN, you should type "Deported" in the street scan line. The remainder of the scan lines are as required.

CHANGE OF ADDRESS OUT OF STATE

8.5 MOVING OUT OF STATE DD-4 INSTRUCTIONS

STEP ONE:

- ☐ **PRESENT IDENTIFICATION: OFFENDER SHALL PRESENT HIS OR HER VALID MICHIGAN DRIVER'S LICENSE OR MICHIGAN PERSONAL ID CARD.**

STEP TWO:

- ☐ **QUERY SOR RECORD (LEIN) AND CHECK FOR "CAMPUS NOTIFICATION MADE TO OFFENDER FLAG" IF this statement is not on the SOR record, complete a DD-4A (Explanation of Duties to Register as a Sex Offender).**

STEP THREE

- ☐ **COMPLETE "MOVING OUT OF STATE" PORTION OF THE DD-4.** Do not allow the offender to fill out this form. If the street address is unknown, enter 123 No Address. The city and state must be entered.
- ☐ **COMPLETE DD-4A IF NEEDED.** Do not allow the offender to fill out this form.
- ☐ **REGISTERING OFFICIAL AND OFFENDER OR PARENT/GUARDIAN** must sign the DD-4 (and DD-4A if completed). Refusal by the offender to sign either form is a 93-day misdemeanor.
- ☐ **GIVE A COPY OF THE COMPLETED DD-4 (AND THE DD-4A IF COMPLETED) TO THE OFFENDER**
- ☐ **MAIL ORIGINAL DD-4 (& DD-4A , IF COMPLETED) TO:**

**MICHIGAN STATE POLICE
SEX OFFENDER REGISTRATION UNIT
7150 HARRIS DRIVE
LANSING, MI 48913**

STEP FOUR

- ☐ **ENTER DD-4 INFORMATION INTO LEIN**

MICHIGAN SEX OFFENDER REGISTRATIONPortions of this registration are **confidential**. Disclosure of confidential information is protected by the Federal Privacy Act.**THIS SECTION FOR INITIAL REGISTRATION**

MDOC _____

REGISTRATION	REGISTRANT NAME (Last, First, Middle)				ALIAS(S)				
	STREET ADDRESS			APT/LOT	CITY		STATE	ZIP	COUNTY
	DATE OF BIRTH		SOCIAL SECURITY		STATE ID		FBI		
	DRIVER LICENSE		RACE	SEX	HEIGHT	WEIGHT	HAIR	EYE	
	PLACE OF BIRTH	SKIN TONE	SMT		FINGERPRINT CLASSIFICATION				
	DNA AVAILABLE	DNA LOCATION						BLOOD TYPE	
	DATE REGISTERED	REGISTRATION DURATION <input type="checkbox"/> 10 YEARS <input type="checkbox"/> 25 YEARS <input type="checkbox"/> LIFETIME		EXEMPT FROM VERIFICATION? <input type="checkbox"/> YES <input type="checkbox"/> NO		VERIFICATION REQUIREMENT <input type="checkbox"/> QUARTERLY <input type="checkbox"/> YEARLY			
CONVICTION	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION		
	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION		
	TYPE OF REGISTRATION <input type="checkbox"/> MICHIGAN <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> FEDERAL/MILITARY <input type="checkbox"/> TRIBAL		CONVICTION TYPE <input type="checkbox"/> JUVENILE ADJUDICATION <input type="checkbox"/> ADULT CONVICTION <input type="checkbox"/> HYTA		DATE OF OFFENSE		VICTIM'S AGE AT OFFENSE		
					CTN				
REMARKS									
CAMPUS	CAMPUS CODE	CAMPUS CITY			<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		
	CAMPUS CODE	CAMPUS CITY			<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		

THIS SECTION FOR VERIFICATION AND CHANGE OF ADDRESS

<input type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input checked="" type="checkbox"/> MOVING OUT OF STATE	<input type="checkbox"/> INCARCERATED		
SYSIDNO 12345678	REGISTRANT NAME (Last, First, Middle) Doe, John David		DRIVER LICENSE D123-456-789-012		
STREET ADDRESS 123 Any Street	APT/LOT	CITY Port Orange	STATE FL	ZIP 32118	COUNTY OS

THIS SECTION FOR RECEIPT OF \$35 REGISTRATION FEE PAYMENT

PAYMENT MADE <input type="checkbox"/> YES <input type="checkbox"/> NO	METHOD OF PAYMENT	REASON FOR NONPAYMENT	SIGNATURE OF REGISTERING OFFICIAL
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SIGNATURES	SIGNATURE OF OFFENDER <i>John Doe</i>		SIGNATURE OF PARENT OR GUARDIAN	
	SIGNATURE OF REGISTERING OFFICIAL <i>Sgt. Jane Smith</i>		PRINTED NAME OF REGISTERING OFFICIAL Sgt. Jane Smith	
	REGISTERING AGENCY Michigan State Police Post 99		ORI MI0123456	DATE 1-1-05
			(M.C.L.A. 28.721, 1994 PA 295, Amended 1996, 1999, 2002, 2004)	
Mail to: Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913				

9 STATUS AT AN INSTITUTION OF HIGHER LEARNING

Persons registered as a sex offender who are employed or attend an institute of higher learning that requires them to be present on campus for 14 or more consecutive days or 30 or more total days in a calendar year must report his or her status. Any change in status must be reported within **10** days. All registered persons are required to report this status regardless of financial compensation or governmental or education benefit. **This includes all full and part-time employees and/or students, contractual providers, employees of contractual providers and volunteers.**

An institute of higher learning is any public or private community college, college, university, trade and vocational or occupational school. High schools, alternative schools and GED programs **are not** institutes of higher learning.

The reporting requirement applies to Michigan residents as well as non-Michigan residents.

Failure to report status at an institution of higher learning **is a felony.**

9.1 OFFENDER RESPONSIBILITIES

9.1.1 IDENTIFICATION

All registered sex offenders shall maintain either a valid Michigan Operator or Chauffeur License or a Michigan Personal Identification Card with a digitized photograph. The address on the card shall match the current address on the sex offender registry. This card must be used as proof of residence. Agencies may request other proof of residency, such as a voter registration card or utility bill, until the agency is satisfied that proof of residency has been established.

If the offender is traveling daily to attend and/or work at an institution of higher learning, an out of state driver's license and campus identification card is acceptable.

9.1.2 DOCUMENTATION

Written documentation is required when an offender reports status at an institution of higher learning. This would include employment, contractual relationship, volunteer or student status. Written documentation may include, but is not limited to, any of the following:

- ◆ W-2 form
- ◆ Pay stub
- ◆ Written statement by an employer
- ◆ Contract
- ◆ Student identification card
- ◆ Student Transcript

STATUS AT AN INSTITUTION OF HIGHER LEARNING

9.2 AGENCY RESPONSIBILITIES

9.2.1 LOCAL LAW ENFORCEMENT AGENCY, SHERIFF DEPARTMENT, STATE POLICE

An offender who resides in Michigan, either temporarily or permanently, and attends or is employed by an institution of higher learning must report his/her status to the local law enforcement agency, sheriff's department or Michigan State Police post that has jurisdiction over the offender's residence.

9.2.2 CAMPUS POLICE DEPARTMENT

An offender who does not reside in Michigan but, instead, travels daily to attend or work at an institution of higher learning must report his/her status to the campus police department. If the institution of higher learning does not have a campus police department, the offender must report his/her status to the law enforcement agency having jurisdiction over the institution of higher learning.

9.2.3 DD-4 FORM COMPLETION

To change the address of an offender, the DD-4 shall be completed, signed, and dated by the agency official. The offender shall sign the DD-4 form. A copy of the DD-4 shall be given to the individual. After entering the address change into LEIN, a copy may be retained in a local file or destroyed.

9.2.4 LEIN ENTRY INFORMATION

The new screens for adding campus information are operational and can be accessed through the terminal emulator (blue screen).

To input campus information, type **F SESUP**.

Scan Line		
Agency ORI		Use the agency ORI
55	OPR	Operator Name
20	SYSIDNO	System ID Number
1	NAM	Name of the offender.
150	CAM	Campus code. This mandatory field requires a numerical code. The list of schools and numerical codes can be accessed by typing in F Campus
151	CCY	Campus City. This field is used for the city or campus location. This must be typed in manually. Campus City should be used when an offender is at a satellite campus.
152	CST	Student This mandatory field requires a Y or N
153	CEM	Employee. This mandatory field requires a Y or N

To cancel campus information, type **F SCSUP** and use the same scan lines as above.

STATUS AT AN INSTITUTION OF HIGHER LEARNING

9.3 STATUS AT AN INSTITUTION OF HIGHER LEARNING INSTRUCTIONS

STEP ONE:

- ☐ **PRESENT IDENTIFICATION: OFFENDER SHALL PRESENT WRITTEN DOCUMENTATION AS DETAILED ON THE PREVIOUS PAGE.**

STEP TWO

- ☐ **QUERY SOR RECORD (LEIN) FOR “CAMPUS NOTIFICATION MADE TO OFFENDER FLAG”**
If this statement is not on the SOR record, complete a DD-4A (Explanation of Duties to Register as a Sex Offender).

STEP THREE

- ☐ **COMPLETE “CAMPUS INFORMATION PORTION OF THE DD-4.** Do not allow the offender to fill out this form.
- ☐ **COMPLETE DD-4A IF NEEDED.** Do not allow the offender to fill out this form.
- ☐ **REGISTERING OFFICIAL AND OFFENDER OR PARENT/GUARDIAN** must sign the DD-4 (and DD-4A if completed). Refusal by the offender to sign either form is a 93-day misdemeanor
- ☐ **GIVE A COPY OF THE COMPLETED DD-4 (AND THE DD-4A IF COMPLETED) TO THE OFFENDER**

STEP FOUR

- ☐ **ENTER CAMPUS INFORMATION INTO LEIN.**

MICHIGAN SEX OFFENDER REGISTRATIONPortions of this registration are **confidential**. Disclosure of confidential information is protected by the Federal Privacy Act.**THIS SECTION FOR INITIAL REGISTRATION**

MDOC _____

REGISTRATION	REGISTRANT NAME (Last, First, Middle)				ALIAS(S)				
	STREET ADDRESS			APT/LOT	CITY		STATE	ZIP	COUNTY
	DATE OF BIRTH		SOCIAL SECURITY		STATE ID		FBI		
	DRIVER LICENSE		RACE	SEX	HEIGHT	WEIGHT	HAIR	EYE	
	PLACE OF BIRTH	SKIN TONE	SMT		FINGERPRINT CLASSIFICATION				
	DNA AVAILABLE	DNA LOCATION						BLOOD TYPE	
	DATE REGISTERED	REGISTRATION DURATION <input type="checkbox"/> 10 YEARS <input type="checkbox"/> 25 YEARS <input type="checkbox"/> LIFETIME		EXEMPT FROM VERIFICATION? <input type="checkbox"/> YES <input type="checkbox"/> NO		VERIFICATION REQUIREMENT <input type="checkbox"/> QUARTERLY <input type="checkbox"/> YEARLY			
CONVICTION	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION		
	OFFENSE		STATUTE	DOCKET	COUNTY	STATE	DATE OF CONVICTION		
	TYPE OF REGISTRATION <input type="checkbox"/> MICHIGAN <input type="checkbox"/> OUT OF STATE <input type="checkbox"/> FEDERAL/ MILITARY <input type="checkbox"/> TRIBAL		CONVICTION TYPE <input type="checkbox"/> JUVENILE ADJUDICATION <input type="checkbox"/> ADULT CONVICTION <input type="checkbox"/> HYTA		DATE OF OFFENSE CTN		VICTIM'S AGE AT OFFENSE		
	REMARKS								
CAMPUS	CAMPUS CODE 2290	CAMPUS CITY East Lansing, MI			<input checked="" type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		
	CAMPUS CODE	CAMPUS CITY			<input type="checkbox"/> STUDENT <input type="checkbox"/> NO LONGER ATTENDING		<input type="checkbox"/> EMPLOYEE <input type="checkbox"/> NO LONGER EMPLOYED		

THIS SECTION FOR VERIFICATION AND CHANGE OF ADDRESS

<input type="checkbox"/> CHANGE OF ADDRESS	<input type="checkbox"/> ADDRESS VERIFICATION	<input type="checkbox"/> MOVING OUT OF STATE	<input type="checkbox"/> INCARCERATED
SYSIDNO 12345678	REGISTRANT NAME (Last, First, Middle) Doe, John David		DRIVER LICENSE D123-456-789-012
STREET ADDRESS 456 Some Street	APT/LOT	CITY Some Town	STATE MI
			ZIP 48823
			COUNTY 33

THIS SECTION FOR RECEIPT OF \$35 REGISTRATION FEE PAYMENT

PAYMENT MADE <input type="checkbox"/> YES <input type="checkbox"/> NO	METHOD OF PAYMENT	REASON FOR NONPAYMENT	SIGNATURE OF REGISTERING OFFICIAL
---	-------------------	-----------------------	-----------------------------------

SIGNATURES	SIGNATURE OF OFFENDER <i>John Doe</i>		SIGNATURE OF PARENT OR GUARDIAN		
	SIGNATURE OF REGISTERING OFFICIAL <i>Sgt. Jane Smith</i>		PRINTED NAME OF REGISTERING OFFICIAL Sgt. Jane Smith		
	REGISTERING AGENCY Michigan State Police Post 99		ORI MI0123456	DATE 1-1-05	(M.C.L.A. 28.721, 1994 PA 295, Amended 1996, 1999, 2002, 2004)
	Mail to: Michigan State Police, Criminal Justice Information Center, Sex Offender Registration, 7150 Harris Drive, Lansing, MI 48913				

CANCELLING RECORDS

10 CANCELLING RECORDS

Agencies should not remove or delete sex offender registration records. Any documentation regarding the removal of a sex offender should be forwarded to the Michigan State Police Sex Offender Registration Unit.

10.1 REGISTERED SEX OFFENDERS WHO HAVE DIED

All documentation regarding an offender's death should be forwarded to the Michigan State Police Sex Offender Registration Unit. The information will be retained by the Sex Offender Registration (SOR) Unit for future inquiry. The SOR Unit will cancel the offender's registration record upon review of the required documentation.

10.1.1 DOCUMENTATION

Documentation should include one of the following:

- ◆ Death Certificate
- ◆ Police Report
- ◆ Department of Corrections discharge as a result of death
- ◆ Secretary of State records reflecting death
- ◆ Social Security records reflecting death
- ◆ Military records discharge as a result of death

Documentation that will not be accepted as proof of death include, but are not limited to:

- ◆ Obituary
- ◆ Letters or statements from relatives and/or citizens
- ◆ Newspaper articles or media reports
- ◆ Returned letters from U.S. Postal Service marked "deceased"
- ◆ Photographs
- ◆ Any other non-government document issued document

10.2 SET ASIDE CONVICTIONS OR EXPUNGEMENTS

Registered sex offenders who have his/her convictions expunged from his/her criminal history record or who have his/her convictions set aside should not be cancelled in LEIN. Agencies should inform the offender that for purposes of the Michigan Sex Offenders Registration act, the offender is still considered to be convicted of that offense and must continue to comply with the requirements as provided in the Michigan Sex Offenders Registration act.

For further information, please review M.C.L. 780.622 and M.C.L. 28.722(2)(a)(I).

CANCELLING RECORDS

10.3 OFFENDERS SENTENCED UNDER HOLMES YOUTHFUL TRAINEE ACT (HYTA)

Registered sex offenders who are sentenced under HYTA should not be cancelled in LEIN upon completion of his or her HYTA probation. In some cases, certain offenders who meet specific requirements are eligible to petition the court for alternative registration. If the petition is granted by the court and an order is received by the Michigan State Police Sex Offender Registration Unit, the offender will be required to register for 10 years.

For further information, please review M.C.L. 28.722(2)(a)(ii).

10.4 COURT ORDER REMOVAL

All court orders instructing an agency to remove an offender from the sex offender registry and any relevant documents should be forwarded to the Michigan State Police, Sex Offender Registry Unit. After review and upon determining the validity of the court order, the SOR Unit will mail a letter to the offender's last reported address regarding the removal of his/her name from the sex offender registry.

NON-LISTED OFFENSES

11 NON LISTED OFFENSES

On September 12, 2003, the Office of the Attorney General of the State of Michigan issued a letter to the Department of State Police regarding the registration of sex offenders for non-listed offenses.

According to M.C.L. 28.722(d)(x) and People v. Meyers, 250 Mich App 637 2002, an offender may be registered for a non-listed offense, if the following three part criterion is met.

Element One:

Was the defendant convicted of a state law violation or municipal ordinance violation?

Element Two:

Did the offense, by its nature, constitute a sexual offense?

“By its nature” is defined as “inherent qualities”.

“Sexual offense” is defined as “of or pertaining to sex”.

Element Three:

Was the victim under the age of 18 when the offense occurred?

From the letter:

“The underlying facts which give rise to the charge, not merely the conviction offense or facts elicited in the allocution, control whether the registration requirements of the SORA are triggered.”

The Michigan State Police will not make the determination if the offender should or should not be registered for a non-listed offense.

You must refer to your legal counsel and the Attorney General of the State of Michigan if you are unsure.

Any court orders issued by a judge negating the registration of an individual which falls under the three listed elements should be referred to the Office of the Attorney General of the State of Michigan.

FREQUENTLY ASKED QUESTIONS

12 FREQUENTLY ASKED QUESTIONS

Q. Does everyone who has ever been convicted of a sex crime have to register in Michigan?

- A.** No. Only those offenders who have been convicted of a listed offense on or after October 1, 1995, or those persons who were convicted prior to that date who were still incarcerated, on parole or probation for a listed offense on October 1, 1995 must be registered.

Q. Are there juveniles on the Public Sex Offender Registry (PSOR)?

- A.** Yes. However, only juveniles adjudicated for Criminal Sexual Conduct First Degree and Criminal Sexual Conduct Second Degree after his or her 18th birthday.

Q. I know an offender who was convicted of one of the listed offenses, but his or her name is not on the list. Why don't I see it?

- A.** The PSOR shows the address for offenders who are currently known to be in the community. The following is a list of reasons why his or her name is not shown:
- ◆ Offender is an adjudicated juvenile
 - ◆ Offender has moved out of state or out of the country
 - ◆ Offender is deceased
 - ◆ Offender's case is before the Attorney General's office
 - ◆ Offender's conviction was not a listed offense
 - ◆ Offender's conviction date was prior to October 1, 1995, and the offender was no longer involved with the criminal justice system for that offense.

Q. What are the responsibilities of sex offenders required to be registered?

- A.** Offenders are required to **register** at the time of conviction, prior to sentencing. If the offender was convicted in another state and subsequently moves to Michigan, they must register within **14** days of moving to Michigan.

Q. How often are the addresses updated?

- A.** Offenders convicted of a misdemeanor listed offense must report to a local law enforcement agency and **verify** his or her address yearly, during January 1 through January 15 of each year. Failure to do so is a misdemeanor.

Offenders convicted of a felony listed offense must report to a local law enforcement agency and **verify** his or her address quarterly, during the first fifteen days of January, April, July, and October. Failure to do so is a misdemeanor.

Offenders must also report a change of address within ten (10) days. Failure to do so is a felony.

FREQUENTLY ASKED QUESTIONS

Q. How can I get more detailed information on an offense committed by a listed offender?

- A.** There are several ways to get more specific details of the offense. If you know the offense was committed locally, you should contact the county clerk's office and request to see the court file.

If you do not know where the offense was committed, you must request a Criminal History Record (CHR) on the offender. It will show the convictions and the counties in which these offenses occurred, which will allow you to then contact the county clerk's office in that county to attempt to gain further information.

Q. How do I get a Criminal History Record?

- A.** Contact the Criminal Justice Information Center Applicant Team in writing. You must include the offender's name and date of birth. If you know his or her social security number, and/ or driver's license, include that information. There is a charge of \$10 per name requested. Include a check or money order in the proper amount made payable to the State of Michigan along with the address that you wish the record mailed to. Send this information to:

Michigan State Police Criminal Justice Information Center
Attn: Applicant Team
7150 Harris Drive
Lansing, MI 48913

Alternately, you look up the records on line through ICHAT (Internet Criminal History Tool) at <http://mi-mall.michigan.gov/ichat>. You must first set up an account and pay \$10 per record requested.

Q. Will the Criminal History Record include convictions from another state?

- A.** No, the CHR will only show convictions in Michigan.

Q. I requested a CHR for an offender, however I was told there was no CHR for this person. Why is that?

- A.** If the offender has a sealed or expunged record, or was convicted in another state, those convictions will not be present on his or her criminal history record.

Q. Who should I contact if I know of an error on the website?

- A.** You should contact the local law enforcement agency where the offender's listed address is located.

Q. What should I do if I know an offender has moved and not changed his or her address?

- A.** If you know that an offender has moved and not changed his or her address, you should contact the local law enforcement agency where the offender is actually residing.

FREQUENTLY ASKED QUESTIONS

Q. I recently moved into a residence, and found out that a registered sex offender lived here before me. My new address is listed on the PSOR, but the offender no longer lives here. How can I get my address removed from the PSOR?

A. In order to get your address removed from the PSOR, you must contact your local law enforcement agency. Your local law enforcement agency will investigate the matter and you may be required to show some proof that the offender is not residing in the home (such as mortgage or rental agreements). Once convinced that the offender does not reside at that address, your local law enforcement agency can apply a “false address flag” to the offender’s registration record. This will remove your address from the PSOR, and will flag the offender’s record when he or she has contact with a law enforcement agency.

Q. Is there a place where I can view the SOR law?

A. Yes. You can click on “Sex Offender Registration Act” on the home page of the SOR web site and view the entire act. It can also be accessed at www.michiganlegislature.org. It is also included as [Appendix D](#) of this manual.

Q. How long are convicted sex offenders required to be registered?

A. Depending upon the charge, offenders will remain on the SOR for 25 years, or for life. Offenders released from prison must remain on the SOR for a minimum of 10 years following release. For example, if an offender served 20 years in prison for a listed offense, he or she would have to remain on the SOR for 10 years following release.

Q. Are there similar web sites where I can access information regarding offenders listed in other states?

Q. Yes. Some states have Internet sites listing his or her registered sex offenders. Some are accessible at the following website:
<http://www.sexoffender.com/search.html>

Q. Can juveniles and/or youthful offenders ever be removed from the registry?

A. Yes. Juveniles and/or youthful offenders should contact the sentencing court to determine if they are eligible to petition the court for alternative registration.

SEX OFFENDER LEIN FLAGS

13 SEX OFFENDER LEIN FLAGS

13.1 JUVENILE FLAG (SCAN LINE 82 OR JUV)

This scan line is mandatory and is used to flag the SOR record as a juvenile record. Juvenile records are not to be released to the public. This scan line must be entered if the offender is adjudicated as a juvenile.

This scan line is administered by all law enforcement agencies and is required by statute to prohibit adjudicated juveniles from appearing on the public registry.

The following caveat will be added to the SOR record when the Juvenile Flag is set:

****SUBJECT IS AN ADJUDICATED JUVENILE****

13.2 FALSE ADDRESS FLAG (SCAN LINE 85 OR FAF):

Agencies may receive complaints by citizens that a registered sex offender is no longer living at the address listed on the Public Sex Offender Registry (PSOR). Once the agency is satisfied that the address is not correct, the False Address Flag should be set.

This scan line is administered by all law enforcement agencies and blocks a sex offender's false address from appearing on the public registry.

The following caveat will be added to the SOR record when the False Address Flag is set:

****FALSE ADDRESS FLAG IS ON****

13.3 JUDICIAL FLAG:

This scan line is ordered by the Attorney General's Office and is administered by the SOR staff. This scan line blocks a sex offender's record from the public registry while a decision is being made on a court order to remove the sex offender from the registry. This scan line remains in effect until the Attorney General's Office makes a decision on a case by case basis regarding the Order to Remove Sex Offender from Registry.

The following caveat will be added to the SOR Record when the Judicial Flag is set:

****COURT ORDERED REMOVAL FROM PUBLIC LIST****

SEX OFFENDER LEIN FLAGS

13.4 NOTIFICATION FLAG:

The Sex Offender Registry staff administers this scan line. This scan line was used when the 1999 – 2001 version of the DD-4A was received by Sex Offender Registration. When the form was received, the Sex Offender Registration staff activated this flag to notify law enforcement agencies that the offender has been explained his responsibilities to register as a sex offender. This form is maintained at the Sex Offender Registration Office as evidence.

The following caveat was added to the SOR Record when the Notification Flag was set:

****NOTIFICATION HAS BEEN MADE TO OFFENDER****

13.5 CAMPUS NOTIFICATION FLAG:

The Sex Offender Registry staff administers this scan line. This scan line is used when the 2002 – present version of the DD-4A is received by Sex Offender Registration. When the form is received, the Sex Offender Registration staff activates this flag to notify law enforcement agencies that the offender has been explained his responsibilities to register as a sex offender. This form is then maintained at the Sex Offender Registration Office as evidence.

The following caveat will be added to the SOR Record when the Notification Flag is set:

****CAMPUS NOTIFICATION HAS BEEN MADE TO OFFENDER****

PENALTIES AND PROSECUTION JURISDICTION

14 PENALTIES AND PROSECUTION JURISDICTION

14.1 FAILURE TO REGISTER

First Conviction	Felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000, or both.
Second Conviction	Felony; punishable by imprisonment for not more than 7 years or a fine of not more than \$5,000, or both.
Third Conviction	Felony; punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

14.2 FAILURE TO CHANGE ADDRESS

First Conviction	Felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000, or both.
Second Conviction	Felony; punishable by imprisonment for not more than 7 years or a fine of not more than \$5,000, or both.
Third Conviction	Felony; punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

14.3 FAILURE TO REGISTER STATUS AT AN INSTITUTION OF HIGHER LEARNING

First Conviction	Felony; punishable by imprisonment for not more than 4 years or a fine of not more than \$2,000, or both.
Second Conviction	Felony; punishable by imprisonment for not more than 7 years or a fine of not more than \$5,000, or both.
Third Conviction	Felony; punishable by imprisonment for not more than 10 years or a fine of not more than \$10,000, or both.

14.4 FAILURE TO VERIFY

An individual who fails to comply with verification is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000, or both.

14.5 FAILURE TO SIGN SEX OFFENDER REGISTRATION FORMS

An individual who fails to sign a registration, notice or verification form is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine or not more than \$1,000, or both.

PENALTIES AND PROSECUTION JURISDICTION

14.6 PROSECUTION JURISDICTION

An individual's failure to comply with the Michigan Sex Offenders Registration Act may be prosecuted in the judicial district of any of the following:

- ◆ The individual's last registered address or residence
- ◆ The individual's actual address or residence
- ◆ Where the individual was arrested for the violation

14.7 ARREST CODES

The File Class is "5000" Fugitive

Failure to Register	5089
Failure to Comply with Reporting Duties (Change of Address)	5090 Felony
Failure to Comply with Reporting Duties (Verify Address)	5090 Misdemeanor
Failure to Sign Form	5091

14.8 MSA CODES

Failure to Register	28.729
Failure to Comply with Reporting Duties (Change of Address or Report Campus Information)	28.7291
Failure to Comply with Reporting Duties (Verify Address)	28.7292
Failure to Sign Form	28.7293

PENALTIES AND PROSECUTION JURISDICTION

14.9 PROSECUTING FAILURE TO CHANGE ADDRESS

The Attorney General of the State of Michigan has provided guidelines for prosecuting a violation of "Failure to Change Address". These guidelines are:

1. "That a defendant was previously convicted of a crime requiring registration under the Sex Offenders Registration Act (M.C.L. 28.723).
 - A. Certified Copy of Prior Conviction
 - B. Proof of Identity, such as arrest photo, fingerprint card, or parole officer ID testimony.
2. "That the defendant:
 - A. Changed residence, domicile, place of work, or place of education;
 - B. Was paroled; or
 - C. Was released from the jurisdiction of the Department of Corrections"
 - i. If paroled or released, certified MDOC records
 - ii. If residence changed, witness testimony, or investigative report of officer, showing that defendant does not live at last known address.
3. "That the defendant did not notify the State Police of his new residence or domicile (or did not notify the local law enforcement agency where his or her new residence or domicile is located within ten days of the event described in element #2)."
 - A. Certified Copy of DD-4A, Explanation of Duties to Register as a Sex Offender
 - B. Certified Copy of Sex Offender Registration record or testimony by MSP SOR Unit showing no change of address occurred.

Certified copies in element #3 can be obtained by contacting the MSP SOR Unit directly and including the following information:

1. Offender name and date of birth
2. Requestor's name and title
3. Requesting Agency name and full mailing address

SEX OFFENDER REGISTRATION LEIN EXAMPLE

15 SEX OFFENDER REGISTRATION LEIN EXAMPLE

QSOR.1:CASE/TEST//.2:UM.7:19101010.55:CSHELL.56:CSHELL/MSP CJIC.

A LEIN 85489 30 05/10/02 1324 ELIR02
MI3300634
RE:CASE/TEST// 10/10/1910
FOR:CSHELL/MSP CJIC
OPR:CSHELL

SEX OFFENDER REGISTRATION PER ACT 295, P.A. 1994

DO NOT ARREST, DETAIN OR SEARCH BASED SOLELY UPON THIS RESPONSE

NAM:CASE/TEST// DOB:10/10/1910
RAC:WHITE SEX:MALE HGT:611 WGT:200
HAI:BLONDE EYE:BLUE
ORIGINAL ADD:123 TEST ROAD, TEST, MI 48909 CO:33
SUBJECT IS AN ADJUDICATED JUVENILE
ADDRESS VERIFIED ON 04/08/2001 BY MI3300633
NOTIFICATION HAS BEEN MADE TO OFFENDER
CAMPUS NOTIFICATION HAS BEEN MADE TO OFFENDER
2004 NOTIFICATION HAS BEEN MADE TO OFFENDER

CAMPUS NAM:MICHIGAN STATE UNIVERSITY
CAMPUS CITY: EAST LANSING

STUDENT

DATE ENTERED: 01/13/2003

CAMPUS NAM:HILL VOCATIONAL
CAMPUS CITY:LANSING

EMPLOYEE

DATE ENTERED: 01/13/2003

\$35 FEE PAID ON 9/23/04 BY MI3300782
DNA PROFILE AVAILABLE:NO
DURATION:25 YEAR REGISTRATION

REMARKS:THIS IS A TEST CASE
COMP LAW CIT:750.520D(CRIMINAL SEXUAL CONDUCT – THIRD DEGREE)
(MULTIPLE VARIABLES)

ENTERED LEIN:10/19/2000 1333 HRS
MI3300634 – MSP CJIC SEX OFFENDER REG
SYSIDNO:11657916

END MSG

APPENDIX A GLOSSARY AND ACRONYMS

A. APPENDIX A: GLOSSARY AND ACRONYMS

CHR	Criminal History Record
DD-4	Michigan Sex Offender Registration Form
DD-4A	Explanation of Duties to Register as a Sex Offender Form (Notification Form)
FOIA	Freedom of Information Act
ICHAT	Internet Criminal History Access Tool
Institution of Higher Learning	Any private or public community college, college, university, trade and vocational or occupational school.
MSP	Michigan State Police
PSOR	Public Sex Offender Registry
SOR	Sex Offender Registry
USC	United States Code

APPENDIX B SUMMARY OF MICHIGAN LISTED SEX OFFENSES

B. SUMMARY OF MICHIGAN LISTED SEX OFFENSES

Misdemeanor Listed Offenses (Yearly verification : Jan. 1 – Jan. 15)

MCL CODE	OFFENSE
750.145a	Children – Accosting for Immoral Purposes (conviction prior to 6/1/02)
750.145c(4)	Child Sexually Abusive Material (conviction prior to 4/1/03)
750.167(1)(f)	Disorderly Person (Indecent or Obscene Conduct in Public Place)
750.335a	Indecent Exposure
750.448	<i>Soliciting & Accosting to Commit Prostitution or Immoral Act</i>

Felony Listed Offense (Quarterly verification: Jan, Apr, July & Oct 1 – 15)

MCL CODE	OFFENSE
750.10a	Sexually Delinquent Person
750.145a	Children – Accosting for Immoral Purposes (conviction after 6/1/02)
750.145b	Children – Accosting for Immoral Purposes 2 nd Offense
750.145c(2)	Child Sexually Abusive Commercial Activity
750.145c(3)	Child Sexually Abusive Activity – Distributing or Promoting
750.145c(4)	Child Sexually Abusive Material (conviction after 4/1/03)
750.158	<i>Sodomy</i>
750.338	<i>Gross Indecency Between Male Persons *</i>
750.338a	<i>Gross Indecency Between Female Persons *</i>
750.338b	<i>Gross Indecency Between Male & Female Persons *</i>
750.349	<i>Kidnapping</i>
750.350	Child Kidnapping
750.455	Pandering
750.520b	Criminal Sexual Conduct 1 st Degree
750.520c	Criminal Sexual Conduct 2 nd Degree
750.520d	Criminal Sexual Conduct 3 rd Degree
750.520e	Criminal Sexual Conduct 4 th Degree
750.520g	Assault with Intent to Commit Criminal Sexual Conduct

Registration requires three convictions of 750.167(1)f, three convictions of 750.335a, or a combination of three convictions of both offenses.

Pertains only to a victim is under 18 years of age.

* These offenses are not registerable if the offender was adjudicated as a juvenile.

This act also includes offenses that are:

An attempt or conspiracy to commit any of the above offenses. Also, any person convicted of a similar offense as those listed above under federal law, or the law of any state or any country, must also register.

Any other violation of a law of this state or local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age.

APPENDIX C STATE REGISTERING AGENCIES

C. APPENDIX C: STATE REGISTERING AGENCIES

ALABAMA	ALASKA
Alabama Department of Public Safety Bureau of Investigation Phone: (334) 260-1181 Fax: (334) 260-2563 ORI: ALAST0047	Alaska Department of Public Safety Division of Alaska State Troopers Phone: (907) 269-5511 Fax: (907) 269-5033 ORI: AKAST1500
ARIZONA	ARKANSAS
Arizona Department of Public Safety Sex Offender Compliance Unit Phone: (602) 555-0611 Fax: (602) 223-2949 ORI: AZDPS1900	Arkansas Crime Information Center Phone: (501) 682-2222 Fax: (501) 682-2269 ORI: AR060015Y
CALIFORNIA	COLORADO
California Department of Justice Violent Crime Information Center Phone: (916)227-3280 Fax: (916)227-4814 ORI: CA0349428	Colorado Bureau of Investigation Phone: (303)239-4222 Fax: (303) 233-8336 ORI: COCBI0000
CONNECTICUT	DELAWARE
Connecticut Department of Public Safety Phone: (860)685-8503 Fax: (860)685-8354 ORI: CTCSP3900	Delaware State Police Phone: (302) 739-5880 Fax: (302) 739-5888 ORI: DEDSP0000
DISTRICT OF COLUMBIA	FLORIDA
Metropolitan Police Department Phone: (202) 727-5516 Fax: (202) 727-4464 ORI: DCMPD0000	Florida Department of Law Enforcement Missing Children Information Clearinghouse & Sexual Offender/Predator Unit Phone: (888) 357-7332 Fax: (850) 410-8599 ORI: FL0370100
GEORGIA	HAWAII
Georgia Bureau of Investigation Phone: (404) 244-2835 Fax: (404) 212-3028 ORI: GAGBI00287	Department of the Attorney Criminal Justice Data Center Phone: (808) 587-3100 Fax: (808) 587-3109 ORI: HI002015Y

APPENDIX C STATE REGISTERING AGENCIES

IDAHO	ILLINOIS
Idaho State Police Bureau of Criminal Identification Phone: (208) 884-7136 Fax: (208) 884-7193 ORI: ID01015Y	Illinois State Police Phone: (217) 785-0633 Fax: (217) 782-4996 ORI: IL08425V1
INDIANA	IOWA
Indiana Criminal Justice Institute Phone: (317) 232-1233 Fax: (317) 232-4979 ORI:	Iowa Division of Criminal Investigation Phone: (515) 281-5138 Fax: (515) 281-4898 ORI: IADCI0006
KANSAS	KENTUCKY
Kansas Bureau of Investigation Phone: (785) 296-8277 Fax: (785) 296-6781 ORI: KSKBI0000	Kentucky State Police Records Section Phone: (502) 227-8781 Fax: (502) 227-8734 ORI: KYKSP0003
LOUISIANA	MAINE
Louisiana State Police Bureau of Criminal Identification & Information Phone: (225) 925-6095 Fax: (225) 925-7005 ORI: LALSP0001	Maine State Police State Bureau of Identification Phone: (207) 624-7097 Fax: (207) 624-7088 ORI: MESPSBI00
MARYLAND	MASSACHUSETTS
Department of Public Safety & Correctional Services Crimes Against Children & SOR Unit Phone: (410) 764-5665 x317 Fax: (410) 764-5172 ORI: MD003105Y	Sex Offender Registry Phone: (617) 660-4741 Fax: (617) 660-4613 ORI: MACJIS094
MINNESOTA	MISSISSIPPI
Minnesota Bureau of Criminal Apprehension Phone: (651) 603-6748 Fax: (651) 643-3024 ORI: MNBCA0000	Department of Public Safety Criminal Information Center Phone: (601) 933-2600 Fax: (601) 933-2660 ORI: MSMHP0000
MISSOURI	MONTANA
Missouri State Highway Patrol Phone: (573) 526-6160 Fax: (573) 751-9382 ORI: MOMHP001	Department of Justice Division of Criminal Investigation Phone: (406) 444-9479 Fax: (406) 444-2759 ORI: MT026035Y

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NEBRASKA	NEVADA
Nebraska State Patrol Sex Offender Registry Phone: (402) 471-8640 Fax: (402) 471-8496 ORI:NBNSP003	Nevada Highway Patrol Phone: (775) 687-1600 x266 Fax: (775) 687-1843 ORI:NV0131749
NEW HAMPSHIRE	NEW JERSEY
New Hampshire State Police Phone: (603) 271-2663 Fax: (603) 271-2520 ORI: NHNSP0800	Division of State Police Phone: (609) 882-2000 x2318 Fax: (609) 538-0544 ORI: NJNSP0230
NEW MEXICO	NEW YORK
Department of Public Safety Phone: (505) 827-9191 Fax: (505) 827-3388 ORI:NMNSP0000	Division of Criminal Justice Services Sex Offender Registry Phone: (518) 457-6326 Fax: (518) 457-6965 ORI: NY001025Y
NORTH CAROLINA	NORTH DAKOTA
State Bureau of Investigation Division of Criminal Information Phone: (919) 662-4500 Fax: (919) 662-4523 ORI: NCDCI0000	Bureau of Criminal Investigation Phone: (701) 328-5500 Fax: (701) 328-5510 ORI: NDBCA0000
OHIO	OKLAHOMA
Bureau of Criminal Identification and Investigation Phone: (740) 845-2223 Fax: (740) 845-2221 ORI: OHBCI0000	Oklahoma Department of Corrections Phone: (405) 228-2065 Fax: (405) 228-2088 ORI: OK055025C
OREGON	PENNSYLVANIA
Oregon State Police Phone: (503) 378-3720 Fax: (503) 363-5475 ORI: OROSP5900	Pennsylvania State Police Phone: (717) 783-4363 Fax: (717) 772-3681 ORI: PAPSP00U9
RHODE ISLAND	SOUTH CAROLINA
Department of the Attorney General Phone: (401) 274-4400 x2347 Fax: (401) 222-1331 ORI: RI004015Y	South Carolina Law Enforcement Department Phone: (803) 896-7142 Fax: (803) 896-7022 ORI: SCLED0000

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SOUTH DAKOTA	TENNESSEE
South Dakota Office of Attorney General Division of Criminal Investigation Phone: (605) 773-3331 Fax: (605) 773-4629 ORI: SDDCI0062	Tennessee Bureau of Investigation Phone: (615) 744-4302 Fax: (615) 744-4655 ORI: TNTBI0000
TEXAS	UTAH
Texas Department of Public Safety AFIS/CJIC Bureau Sex Offender Registration Program Phone: (512) 424-2471 Fax: (512) 424-5911 ORI: TX0000000	Department of Corrections Phone: (801) 265-5626 Fax: (801) 265-5569 ORI: UT018095C
VERMONT	VIRGINIA
Vermont Crime Information Center Phone: (802) 241-5220 Fax: (802) 241-5400 ORI: VTVSP0000	Virginia Department of State Police Phone: (804) 674-2022 Fax: (804) 674-2105 ORI: VAVSP0000
WASHINGTON	WEST VIRGINIA
Washington State Patrol Identification and Criminal History Section Phone: (360) 705-5105 Fax: (360) 705-5108 ORI: WAWSP0000	West Virginia State Police Phone: (304) 746-2177 Fax: (304) 746-2402 ORI: WWVSP000Z
WISCONSIN	WYOMING
Wisconsin Department of Corrections Phone: (608) 266-3831 Fax: (608) 267-1751 ORI: WI013135C	Wyoming Division of Criminal Investigation Phone: (307) 777-7809 Fax: (307) 777-7252 ORI: WY0110400

APPENDIX D SEX OFFENDER REGISTRATION ACT ACT—295 OF 1994

D. SEX OFFENDER REGISTRATION ACT. ACT 295 OF 1995

28.721 Short title.

Sec. 1.

This act shall be known and may be cited as the “sex offenders registration act”.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

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28.721a Legislative declarations; determination; intent.

Sec. 1a.

The legislature declares that the sex offenders registration act was enacted pursuant to the legislature's exercise of the police power of the state with the intent to better assist law enforcement officers and the people of this state in preventing and protecting against the commission of future criminal sexual acts by convicted sex offenders. The legislature has determined that a person who has been convicted of committing an offense covered by this act poses a potential serious menace and danger to the health, safety, morals, and welfare of the people, and particularly the children, of this state. The registration requirements of this act are intended to provide law enforcement and the people of this state with an appropriate, comprehensive, and effective means to monitor those persons who pose such a potential danger.

History: Add. 2002, Act 542, Eff. Oct. 1, 2002 .

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28.722. Definitions.

Sec. 2.

As used in this act:

(a) “Convicted” means 1 of the following:

(i) Having a judgment of conviction or a probation order entered in any court having jurisdiction over criminal offenses, including, but not limited to, a tribal court or a military court, and including a conviction subsequently set aside under 1965 PA 213, MCL 780.621 to 780.624.

(ii) Either of the following:

(A) Being assigned to youthful trainee status under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15, before October 1, 2004.

(B) Being assigned to youthful trainee status under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15, on or after October 1, 2004 if the individual's status of youthful trainee is revoked and an adjudication of guilt is entered.

(iii) Having an order of disposition entered under section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, that is open to the general public under section 28 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.28.

(iv) Having an order of disposition or other adjudication in a juvenile matter in another state or country.

(b) “Department” means the department of state police.

(c) “Institution of higher education” means 1 or more of the following:

(i) A public or private community college, college, or university.

(ii) A public or private trade, vocational, or occupational school.

(d) “Local law enforcement agency” means the police department of a municipality.

(e) “Listed offense” means any of the following:

(i) A violation of section 145a, 145b, or 145c of the Michigan penal code, 1931 PA 328, MCL 750.145a, 750.145b, and 750.145c.

(ii) A violation of section 158 of the Michigan penal code, 1931 PA 328, MCL 750.158, if a victim is an

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individual less than 18 years of age.

(iii) A third or subsequent violation of any combination of the following:

(A) Section 167(1)(f) of the Michigan penal code, 1931 PA 328, MCL 750.167.

(B) Section 335a of the Michigan penal code, 1931 PA 328, MCL 750.335a.

(C) A local ordinance of a municipality substantially corresponding to a section described in sub-subparagraph (A) or (B).

(iv) Except for a juvenile disposition or adjudication, a violation of section 338, 338a, or 338b of the Michigan penal code, 1931 PA 328, MCL 750.338, 750.338a, and 750.338b, if a victim is an individual less than 18 years of age.

(v) A violation of section 349 of the Michigan penal code, 1931 PA 328, MCL 750.349, if a victim is an individual less than 18 years of age.

(vi) A violation of section 350 of the Michigan penal code, 1931 PA 328, MCL 750.350.

(vii) A violation of section 448 of the Michigan penal code, 1931 PA 328, MCL 750.448, if a victim is an individual less than 18 years of age.

(viii) A violation of section 455 of the Michigan penal code, 1931 PA 328, MCL 750.455.

(ix) A violation of section 520b, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g.

(x) Any other violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age.

(xi) An offense committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(xii) An attempt or conspiracy to commit an offense described in subparagraphs (i) to (xi).

(xiii) An offense substantially similar to an offense described in subparagraphs (i) to (xii) under a law of the United States, any state, or any country or under tribal or military law.

(f) "Municipality" means a city, village, or township of this state.

(g) "Residence", as used in this act, for registration and voting purposes means that place at which a person habitually sleeps, keeps his or her personal effects, and has a regular place of lodging. If a person has more than 1 residence, or if a wife has a residence separate from that of the husband, that place at which the person resides the greater part of the time shall be his or her official residence for the purposes of this act. This section shall not be construed to affect existing judicial interpretation of the term residence.

(h) "Student" means an individual enrolled on a full- or part-time basis in a public or private educational institution, including, but not limited to, a secondary school, trade school, professional institution, or institution of higher education.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.723 Individuals required to be registered.

Sec. 3.

(1) Subject to subsection (2), the following individuals who are domiciled or temporarily reside in this state for 14 or more consecutive days, who work with or without compensation or are students in this state for 14 or more consecutive days, or who are domiciled, reside, or work with or without compensation or are students in this state for 30 or more total days in a calendar year are required to be registered under this act:

(a) An individual who is convicted of a listed offense after October 1, 1995.

(b) An individual convicted of a listed offense on or before October 1, 1995 if on October 1, 1995 he or she is on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, or under the jurisdiction of the juvenile division of the probate court or the department of social services for that offense or is placed on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, placed under the jurisdiction of the juvenile division of the probate court or family division of circuit court, or committed to the department of social services or family independence agency after October 1, 1995 for

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that offense.

(c) An individual convicted of an offense described in section 2(d)(xiii) on or before October 1, 1995 if on October 1, 1995 he or she is on probation or parole that has been transferred to this state for that offense or his or her probation or parole is transferred to this state after October 1, 1995 for that offense.

(d) An individual from another state who is required to register or otherwise be identified as a sex or child offender or predator under a comparable statute of that state.

(2) An individual convicted of an offense added on September 1, 1999 to the definition of listed offense is not required to be registered solely because of that listed offense unless 1 of the following applies:

(a) The individual is convicted of that listed offense on or after September 1, 1999.

(b) On September 1, 1999, the individual is on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, under the jurisdiction of the family division of circuit court, or committed to the family independence agency for that offense or the individual is placed on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections, placed under the jurisdiction of the family division of circuit court, or committed to the family independence agency on or after September 1, 1999 for that offense.

(c) On September 1, 1999, the individual is on probation or parole for that offense which has been transferred to this state or the individual's probation or parole for that offense is transferred to this state after September 1, 1999.

(d) On September 1, 1999, in another state or country the individual is on probation or parole, committed to jail, committed to the jurisdiction of the department of corrections or a similar type of state agency, under the jurisdiction of a court that handles matters similar to those handled by the family division of circuit court in this state, or committed to an agency with the same authority as the family independence agency for that offense.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1995, Act 10, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 .

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28.724.Registration; procedures.

Sec. 4.

(1) Registration of an individual under this act shall proceed as provided in this section.

(2) For an individual convicted of a listed offense on or before October 1, 1995 who on or before October 1, 1995 is sentenced for that offense, has a disposition entered for that offense, or is assigned to youthful trainee status for that offense, the following shall register the individual by December 31, 1995:

(a) If the individual is on probation for the listed offense, the individual's probation officer.

(b) If the individual is committed to jail for the listed offense, the sheriff or his or her designee.

(c) If the individual is under the jurisdiction of the department of corrections for the listed offense, the department of corrections.

(d) If the individual is on parole for the listed offense, the individual's parole officer.

(e) If the individual is within the jurisdiction of the juvenile division of the probate court or the department of social services under an order of disposition for the listed offense, the juvenile division of the probate court or the department of social services.

(3) Except as provided in subsection (4), for an individual convicted of a listed offense on or before October 1, 1995:

(a) If the individual is sentenced for that offense after October 1, 1995 or assigned to youthful trainee status after October 1, 1995, the probation officer shall register the individual before sentencing or assignment.

(b) If the individual's probation or parole is transferred to this state after October 1, 1995, the probation or parole officer shall register the individual within 14 days after the transfer.

(c) If the individual is placed within the jurisdiction of the juvenile division of the probate court or family division of circuit court or committed to the department of social services or family independence agency under an order of disposition entered after October 1, 1995, the juvenile division of the probate court or family division of circuit court shall register the individual before the order of disposition is entered.

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(4) For an individual convicted on or before September 1, 1999 of an offense that was added on September 1, 1999 to the definition of listed offense, the following shall register the individual:

(a) If the individual is on probation or parole on September 1, 1999 for the listed offense, the individual's probation or parole officer not later than September 12, 1999.

(b) If the individual is committed to jail on September 1, 1999 for the listed offense, the sheriff or his or her designee not later than September 12, 1999.

(c) If the individual is under the jurisdiction of the department of corrections on September 1, 1999 for the listed offense, the department of corrections not later than November 30, 1999.

(d) If the individual is within the jurisdiction of the family division of circuit court or committed to the family independence agency or county juvenile agency on September 1, 1999 under an order of disposition for the listed offense, the family division of circuit court, the family independence agency, or the county juvenile agency not later than November 30, 1999.

(e) If the individual is sentenced or assigned to youthful trainee status for that offense after September 1, 1999, the probation officer shall register the individual before sentencing or assignment.

(f) If the individual's probation or parole for the listed offense is transferred to this state after September 1, 1999, the probation or parole officer shall register the individual within 14 days after the transfer.

(g) If the individual is placed within the jurisdiction of the family division of circuit court or committed to the family independence agency for the listed offense after September 1, 1999, the family division of circuit court shall register the individual before the order of disposition is entered.

(5) Subject to section 3, an individual convicted of a listed offense in this state after October 1, 1995 shall register before sentencing, entry of the order of disposition, or assignment to youthful trainee status. The probation officer or the family division of circuit court shall give the individual the registration form after the individual is convicted, explain the duty to register and to pay a registration fee, to verify his or her address, and to provide notice of address changes, and accept the completed registration for processing under section 6. The court shall not impose sentence, enter the order of disposition, or, before October 1, 2004, assign the individual to youthful trainee status, until it determines that the individual's registration was forwarded to the department as required under section 6.

(6) All of the following shall register with the local law enforcement agency, sheriff's department, or the department within 14 days after becoming domiciled or temporarily residing, working, or being a student in this state for the periods specified in section 3(1):

(a) Subject to section 3(1), an individual convicted in another state or country after October 1, 1995 of a listed offense as defined before September 1, 1999.

(b) Subject to section 3(2), an individual convicted in another state or country of an offense added on September 1, 1999 to the definition of listed offenses.

(c) An individual required to be registered as a sex offender in another state or country regardless of when the conviction was entered.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2004, Act 237, Eff. Oct. 16, 2004 ;--Am. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.724a. Status report to local law enforcement agency; requirements; reports; written documentation.

Sec. 4a.

(1) An individual required to be registered under this act who is not a resident of this state shall report his or her status in person to the local law enforcement agency or sheriff's department having jurisdiction over a campus of an institution of higher education, or to the department post nearest to that campus, if any of the following occur:

(a) Regardless of whether he or she is financially compensated or receives any governmental or educational benefit, the individual is or becomes a full- or part-time employee, contractual provider, or volunteer with that institution of higher education and his or her position will require that he or she be present on that campus for 14 or more consecutive days or 30 or more total days in a calendar year.

(b) The individual is or becomes an employee of a contractual provider described in subdivision (a) and his or

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her position will require that he or she be present on that campus for 14 or more consecutive days or 30 or more total days in a calendar year.

(c) The status described in subdivision (a) or (b) is discontinued.

(d) The individual changes the campus on which he or she is an employee, a contractual provider, an employee of a contractual provider, or a volunteer as described in subdivision (a) or (b).

(e) The individual is or enrolls as a student with that institution of higher education or the individual discontinues that enrollment.

(f) As part of his or her course of studies at an institution of higher education in this state, the individual is present at any other location in this state, another state, a territory or possession of the United States, or another country for 14 or more consecutive days or 30 or more total days in a calendar year, or the individual discontinues his or her studies at that location.

(2) An individual required to be registered under this act who is a resident of this state shall report his or her status in person to the local law enforcement agency or sheriff's department having jurisdiction where his or her new residence or domicile is located or the department post nearest to the individual's new residence or domicile, if any of the events described under subsection (1) occur.

(3) The report required under subsections (1) and (2) shall be made as follows:

(a) For an individual registered under this act before October 1, 2002 who is required to make his or her first report under subsections (1) and (2), not later than January 15, 2003.

(b) For an individual who is an employee, a contractual provider, an employee of a contractual provider, or a volunteer on that campus on October 1, 2002, or who is a student on that campus on October 1, 2002, who is subsequently required to register under this act, on the date he or she is required to register under this act.

(c) Except as provided under subdivisions (a) and (b), within 10 days after the individual becomes an employee, a contractual provider, an employee of a contractual provider, or a volunteer on that campus, or discontinues that status, or changes location, or within 10 days after he or she enrolls or discontinues his or her enrollment as a student on that campus including study in this state or another state, a territory or possession of the United States, or another country.

(4) The additional registration reports required under this section shall be made in the time periods described in section 5a(4)(a) and (b) for reports under that section.

(5) The local law enforcement agency, sheriff's department, or department post to which an individual reports under this section shall require the individual to pay the registration fee required under section 5a or section 7(1) and to present written documentation of employment status, contractual relationship, volunteer status, or student status. Written documentation under this subsection may include, but need not be limited to, any of the following:

(a) A W-2 form, pay stub, or written statement by an employer.

(b) A contract.

(c) A student identification card or student transcript.

History: Add. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 237, Eff. Oct. 16, 2004 .

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28.725. Notice to law enforcement agency.

Sec. 5.

(1) Within 10 days after any of the following occur, an individual required to be registered under this act shall notify the local law enforcement agency or sheriff's department having jurisdiction where his or her new residence or domicile is located or the department post of the individual's new residence or domicile:

(a) The individual changes his or her residence, domicile, or place of work or education, including any change required to be reported under section 4a.

(b) The individual is paroled.

(c) Final release of the individual from the jurisdiction of the department of corrections.

(2) Within 10 days after either of the following occurs, the department of corrections shall notify the local law enforcement agency or sheriff's department having jurisdiction over the area to which the individual is

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transferred or the department post of the transferred residence or domicile of an individual required to be registered under this act:

- (a) The individual is transferred to a community residential program.
- (b) The individual is transferred into a minimum custody correctional facility of any kind, including a correctional camp or work camp.
- (3) An individual required to be registered under this act shall notify the department on a form prescribed by the department not later than 10 days before he or she changes his or her domicile or residence to another state. The individual shall indicate the new state and, if known, the new address. The department shall update the registration and compilation databases and promptly notify the appropriate law enforcement agency and any applicable sex or child offender registration authority in the new state.
- (4) If the probation or parole of an individual required to be registered under this act is transferred to another state or an individual required to be registered under this act is transferred from a state correctional facility to any correctional facility or probation or parole in another state, the department of corrections shall promptly notify the department and the appropriate law enforcement agency and any applicable sex or child offender registration authority in the new state. The department shall update the registration and compilation databases.
- (5) An individual registered under this act shall comply with the verification procedures and proof of residence procedures prescribed in sections 4a and 5a.
- (6) Except as provided in subsections (7) and (8), an individual shall comply with this section for 25 years after the date of initially registering or, if the individual is in a state correctional facility, for 10 years after release from the state correctional facility, whichever is longer.
- (7) Except as provided in subsection (8), an individual shall comply with this section for life if the individual is convicted of any of the following or a substantially similar offense under a law of the United States, any state, or any country or under tribal or military law:
 - (a) A violation of section 520b of the Michigan penal code, 1931 PA 328, MCL 750.520b.
 - (b) A violation of section 520c(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520c.
 - (c) A violation of section 349 of the Michigan penal code, 1931 PA 328, MCL 750.349, if the victim is less than 18 years of age.
 - (d) A violation of section 350 of the Michigan penal code, 1931 PA 328, MCL 750.350.
 - (e) A violation of section 145c(2) or (3) of the Michigan penal code, 1931 PA 328, MCL 750.145c.
 - (f) An attempt or conspiracy to commit an offense described in subdivisions (a) to (e).
- (g) Except as provided in this subdivision, a second or subsequent listed offense after October 1, 1995 regardless of when any earlier listed offense was committed. An individual is not required to comply with this section for life if his or her first or second listed offense is for a conviction on or before September 1, 1999 for an offense that was added on September 1, 1999 to the definition of listed offense, unless he or she is convicted of a subsequent listed offense after September 1, 1999.
- (8) An individual who is ordered to register as provided in section 8d shall register subject to that section.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.725a. Notice to registered individual; explanation of duties; reporting requirements.

Sec. 5a.

- (1) Not later than December 1, 2004, the department shall mail a notice to each individual registered under this act who is not in a state correctional facility explaining the individual's duties under this section and this act as amended and the procedure for registration, notification, and verification and paying the registration fee prescribed under subsection (7) or section 7(1).
- (2) Upon the release of an individual registered under this act who is in a state correctional facility, the department of corrections shall provide written notice to that individual explaining his or her duties under this section and this act as amended and the procedure for registration, notification, and verification and payment of the registration fee prescribed under subsection (7) or section 7(1). The individual shall sign and date the notice.

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The department of corrections shall maintain a copy of the signed and dated notice in the individual's file. The department of corrections shall forward the original notice to the department within 30 days, regardless of whether the individual signs it.

(3) Not later than January 15, 2000, an individual registered under this act who is not incarcerated shall report in person to the local law enforcement agency or sheriff's department having jurisdiction where he or she is domiciled or resides or to the department post in or nearest to the county where he or she is domiciled or resides. The individual shall present proof of domicile or residence and update any information that changed since registration, including information that is required to be reported under section 4a. An individual registered under this act who is incarcerated on January 15, 2000 shall report under this subsection not less than 10 days after he or she is released.

(4) Except as provided in subsection (5), following initial verification under subsection (3), or registration under this act after January 15, 2000, an individual required to be registered under this act who is not incarcerated shall report in person to the local law enforcement agency or sheriff's department having jurisdiction where he or she is domiciled or resides or to the department post in or nearest to the county where he or she is domiciled or resides for verification of domicile or residence as follows:

(a) If the person is registered only for 1 or more misdemeanor listed offenses, not earlier than January 1 or later than January 15 of each year after the initial verification or registration. As used in this subdivision, "misdemeanor listed offense" means a listed offense that is any of the following:

(i) A violation of section 145a of the Michigan penal code, 1931 PA 328, MCL 750.145a, committed before June 1, 2002.

(ii) A violation of section 145c(4), 167(1)(f), or 448 of the Michigan penal code, 1931 PA 328, MCL 750.145c, 750.167, and 750.448.

(iii) A violation of section 335a of the Michigan penal code, 1931 PA 328, MCL 750.335a, other than a violation committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(iv) A violation of a local ordinance of a municipality substantially corresponding to a section described in subparagraph (i), (ii), or (iii).

(v) A violation of a law of this state or a local ordinance of a municipality that by its nature constitutes a sexual offense against an individual who is less than 18 years of age if the violation is not specifically designated a felony and is punishable by imprisonment for 1 year or less.

(vi) An attempt or conspiracy to commit an offense described in subparagraphs (i) to (v).

(vii) An offense substantially similar to an offense described in subparagraphs (i) to (vi) under a law of the United States, any state, or any country or under tribal or military law.

(b) If the person is registered for 1 or more felony listed offenses, not earlier than the first day or later than the fifteenth day of each April, July, October, and January following initial verification or registration. As used in this subdivision, "felony listed offense" means a listed offense that is any of the following:

(i) A violation of section 145a of the Michigan penal code, 1931 PA 328, MCL 750.145a, committed on or after June 1, 2002.

(ii) A violation of section 145b, 145c(2) or (3), 349, 350, 455, 520b, 520c, 520d, 520e, or 520g of the Michigan penal code, 1931 PA 328, MCL 750.145b, 750.145c, 750.349, 750.350, 750.455, 750.520b, 750.520c, 750.520d, 750.520e, and 750.520g.

(iii) A violation of section 335a of the Michigan penal code, 1931 PA 328, MCL 750.335a, committed by a person who was, at the time of the offense, a sexually delinquent person as defined in section 10a of the Michigan penal code, 1931 PA 328, MCL 750.10a.

(iv) A violation of a law of this state that by its nature constitutes a sexual offense against an individual who is less than 18 years of age if the violation is specifically designated a felony or is punishable by imprisonment for more than 1 year.

(v) An attempt or conspiracy to commit an offense described in subparagraphs (i) to (iv).

(vi) An offense substantially similar to an offense described in subparagraphs (i) to (v) under a law of the United States, any state, or any country or under tribal or military law.

(5) The continued reporting requirements of this section following initial registration do not apply to an

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individual convicted as a juvenile of committing an offense described in section 8c(15)(a) or (b) committed by the individual when he or she was less than 17 years of age, except that the individual shall report a change in his or her residence within this state or to another state as provided in this section within 10 days after the change of residence is made. If the individual fails to file a petition under section 8c before he or she becomes 18 years of age, or if his or her petition is denied by the court, the individual shall report as otherwise required under this section.

(6) When an individual reports under subsection (3) or (4), an officer or authorized employee of the local law enforcement agency, sheriff's department, or department post shall verify the individual's residence or domicile and any information required to be reported under section 4a. The officer or authorized employee shall sign and date a verification form. The officer shall give a copy of the signed form showing the date of verification to the individual. The officer or employee shall forward verification information to the department by the law enforcement information network in the manner the department prescribes. The department shall revise the databases maintained under section 8 as necessary and shall indicate verification in the compilation under section 8(2).

(7) Except as otherwise provided in section 5b, beginning October 16, 2004, an individual who reports as prescribed under subsection (3) or (4) and who has not already paid the fee prescribed under section 7(1) shall pay a \$35.00 registration fee. An individual shall only be required to pay a fee once under this subsection.

(8) An individual required to be registered under this act shall maintain either a valid operator's or chauffeur's license issued under the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, or an official state personal identification card issued under 1972 PA 222, MCL 28.291 to 28.300, with the individual's current address. The license or card may be used as proof of domicile or residence under this section. In addition, the officer or authorized employee may require the individual to produce another document bearing his or her name and address, including, but not limited to, voter registration or a utility or other bill. The department may specify other satisfactory proof of domicile or residence.

(9) Not earlier than January 1, 2000 or later than January 15, 2000, an individual registered under this act who is not incarcerated shall report in person to a secretary of state office and have his or her digitized photograph taken. An individual registered under this act who is incarcerated on January 15, 2000 shall report under this subsection not less than 10 days after he or she is released. The individual is not required to report under this subsection if he or she had a digitized photograph taken for an operator's or chauffeur's license or official state personal identification card before January 1, 2000, or within 2 years before he or she is released. The photograph shall be used on the individual's operator's or chauffeur's license or official state personal identification card. The individual shall have a new photograph taken when he or she renews the license or identification card as provided by law. The secretary of state shall make the digitized photograph available to the department for a registration under this act.

(10) If an individual does not report under subsection (3) or (4) or section 4a, the department shall notify the local law enforcement agency, sheriff's department, or department post. An appearance ticket may be issued for the individual's failure to report as provided in sections 9a to 9g of chapter IV of the code of criminal procedure, 1927 PA 175, MCL 764.9a to 764.9g.

(11) The department shall prescribe the form for the notices and verification procedures required under this section.

History: Add. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 237, Eff. Oct. 16, 2004 ;--Am. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.725b. Sex offenders registration fund; creation; disposition of money; use; lapse; claim of indigence; waiver of fee; payments.

Sec. 5b.

(1) Of the money collected by a court, local law enforcement agency, sheriff's department, or department post from each registration fee prescribed under this act, \$25.00 shall be forwarded to the department, which shall deposit the money in the sex offenders registration fund created under subsection (2), and \$10.00 shall be

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retained by the court, local law enforcement agency, sheriff's department, or department post.

(2) The sex offenders registration fund is created as a separate fund in the department of treasury. The state treasurer shall credit the money received from the payment of the registration fee prescribed under this act to the sex offenders registration fund. Money credited to the fund shall only be used by the department for training concerning, and the maintenance and automation of, the databases, compilation, and information required under section 8. Money in the sex offenders registration fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(3) If an individual required to pay a registration fee under this act is indigent, the registration fee shall be temporarily waived. The burden is on the individual claiming indigence to prove the fact of indigence to the satisfaction of the local law enforcement agency, sheriff's department, or department post where the individual is reporting.

(4) Payment of the registration fee prescribed under this act shall be made in the form and by means prescribed by the department. Upon payment of the registration fee prescribed under this act, the officer or employee shall forward verification of the payment to the department by the law enforcement information network in the manner the department prescribes. The department shall revise the databases maintained under section 8 as necessary and shall indicate verification of payment in the compilation under section 8(2).

History: Add. 2004, Act 237, Eff. Oct. 16, 2004 .

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28.725c.Fee collected by department of corrections; prohibition.

Sec. 5c.

The department of corrections shall not collect any fee prescribed under this act.

History: Add. 2004, Act 237, Eff. Oct. 16, 2004 .

28.726 Providing or forwarding copy of registration or notification.

Sec. 6.

(1) The officer, court, or agency registering an individual or receiving or accepting a registration under section 4 or receiving notice under section 5(1) shall provide the individual with a copy of the registration or notification at the time of registration or notice.

(2) The officer, court, or agency registering an individual or receiving or accepting a registration under section 4 or notified of an address change under section 5(1) shall forward the registration or notification to the department by the law enforcement information network within 3 business days after registration or notification.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 .

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28.727.Registration form.

Sec. 7.

(1) A registration under this act shall be made on a form provided by the department and shall be forwarded to the department in the format the department prescribes, along with a \$35.00 registration fee for each original registration, except as otherwise provided in section 5b. A registration shall contain all of the following:

(a) The individual's name, social security number, date of birth, and address or expected address. An individual who is in a witness protection and relocation program is only required to use the name and identifying information reflecting his or her new identity in a registration under this act. The registration and compilation databases shall not contain any information identifying the individual's prior identity or locale. The department shall request each individual to provide his or her date of birth if it is not included in the registration, and that individual shall comply with the request within 10 days.

(b) A brief summary of the individual's convictions for listed offenses regardless of when the conviction occurred, including where the offense occurred and the original charge if the conviction was for a lesser offense.

(c) A complete physical description of the individual.

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(d) The photograph required under section 5a.

(e) The individual's fingerprints if not already on file with the department. An individual required to be registered on September 1, 1999 shall have his or her fingerprints taken not later than September 12, 1999 if not already on file with the department. The department shall forward a copy of the individual's fingerprints to the federal bureau of investigation if not already on file with that bureau.

(f) Information that is required to be reported under section 4a.

(2) A registration may contain the individual's blood type and whether a DNA identification profile of the individual is available.

(3) The form used for registration or verification under this act shall contain a written statement that explains the duty of the individual being registered to provide notice of a change of address under section 5, the procedures for providing that notice, and the verification procedures under section 5a.

(4) The individual shall sign a registration, notice, and verification. However, the registration, notice, or verification shall be forwarded to the department regardless of whether the individual signs it or pays the registration fee required under subsection (1).

(5) The officer, court, or an employee of the agency registering the individual or receiving or accepting a registration under section 4 shall sign the registration form.

(6) An individual shall not knowingly provide false or misleading information concerning a registration, notice, or verification.

(7) The department shall prescribe the form for a notification required under section 5 and the format for forwarding the notification to the department.

(8) The department shall promptly provide registration, notice, and verification information to the federal bureau of investigation and to local law enforcement agencies, sheriff's departments, department posts, and agencies of other states requiring the information, as provided by law.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 ;--Am. 1999, Act 85, Eff.

Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 237, Eff. Oct. 16, 2004 .

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28.728.Database; compilation; availability.

Sec. 8.

(1) The department shall maintain a computerized database of registrations and notices required under this act.

(2) The department shall maintain a computerized database separate from that described in subsection (1) to implement section 10(2) and (3). Except as provided in subsection (3), the database shall consist of a compilation of individuals registered under this act.

(3) The database described in subsection (2) shall not include the following individuals:

(a) An individual registered solely because he or she had 1 or more dispositions for a listed offense entered under section 18 of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.18, in a case that was not designated as a case in which the individual was to be tried in the same manner as an adult under section 2d of chapter XIIA of the probate code of 1939, 1939 PA 288, MCL 712A.2d. Except as provided in subdivision (b), the exclusion for juvenile dispositions does not apply to a disposition for a violation of section 520b or 520c of the Michigan penal code, 1931 PA 328, MCL 750.520b and 750.520c, after the individual becomes 18 years of age.

(b) An individual who is exempt under section 8d from that database.

(4) The compilation of individuals shall be indexed numerically by zip code area. Within each zip code area, the compilation shall contain all of the following information:

(a) The name and aliases, address, physical description, and birth date of each individual registered under this act who is included in the compilation and who resides in that zip code area and any listed offense of which the individual has been convicted.

(b) The name and campus location of each institution of higher education to which the individual is required to report under section 4a.

(c) Beginning May 1, 2005, the photograph of each individual registered under this act. The department shall

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obtain the photographs submitted under section 5a from the secretary of state for purposes of implementing this subdivision.

(5) The department shall update the compilation with new registrations, deletions from registrations, and address changes at the same time those changes are made to the database described in subsection (1). The department shall make the compilation available to each department post, local law enforcement agency, and sheriff's department by the law enforcement information network. Upon request by a department post, local law enforcement agency, or sheriff's department, the department shall provide to that post, agency, or sheriff's department the information from the compilation in printed form for the zip code areas located in whole or in part within the post's, agency's, or sheriff's department's jurisdiction. The department shall provide the ability to conduct a computerized search of the compilation based upon the name and campus location of an institution of higher education described in subsection (4)(b).

(6) The department shall make the compilation or information from the compilation available to a department post, local law enforcement agency, sheriff's department, and the public by electronic, computerized, or other similar means accessible to the post, agency, or sheriff's department. The electronic, computerized, or other similar means shall provide for both a search by name and by zip code.

(7) If a court determines that the public availability under section 10 of any information concerning individuals registered under this act, including names and aliases, addresses, physical descriptions, or dates of birth, violates the constitution of the United States or this state, the department shall revise the compilation in subsection (2) so that it does not contain that information.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 238, Eff. May 1, 2005 ;--Am. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.728c. Individual convicted of violation described in subsection (15); petition; jurisdiction; limitations; oath; contents; false statement; filing copy with office of prosecution; notice; entry on database; hearing; rights of victim; factors in court determination; court order; individuals with right to petition.

Sec. 8c.

(1) An individual described in subsection (15) who is convicted before October 1, 2004 of a violation described in that subsection may petition the court under this section for an order allowing him or her to register under this act as provided in section 8d(1).

(2) An individual described in subsection (15)(a) or (b) who is convicted on or after October 1, 2004 of a violation described in that subsection may petition the court under this section for an order allowing him or her to register under this act as provided in section 8d(1).

(3) This section is the sole means by which an individual may obtain judicial review of his or her registration requirements under this act. This subsection does not prohibit an appeal of the conviction or sentence as otherwise provided by law or court rule.

(4) A petition filed under this section shall be filed in the court in which the individual was convicted of committing the listed offense. A petition filed under subsection (1) shall be filed before October 1, 2007 or within 3 years after the individual is discharged from the jurisdiction of the juvenile court or, if the individual was assigned to youthful trainee status, within 3 years after he or she has successfully completed youthful trainee status, whichever is later, and, except as otherwise provided in this subsection, the court shall not consider a petition filed by the individual after that date. A petition filed under subsection (2) shall not be filed before the individual's seventeenth birthday or after the individual's twentieth birthday. If the individual is charged in this state or elsewhere with committing, attempting to commit, or conspiring to commit a felony, other than the felony for which he or she has filed the petition for registration as provided under section 8d, or an offense that if committed by an adult would be a felony, the court may hold the petition in abeyance until the charges are finally disposed of. If the court holds the petition in abeyance, the 3-year limitation periods described in this subsection begin to run when the period of abeyance has ended. A petition shall not be filed under this section if a previous petition was filed under this section and was denied by the court after a hearing. As used in this

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subsection, “felony” means a crime that is specifically designated to be a felony or that is punishable by imprisonment for more than 1 year.

(5) A petition filed under this section shall be made under oath and shall contain all of the following:

(a) The name and address of the petitioner.

(b) A statement identifying the offense for which registration as provided in section 8d is being requested.

(c) A statement of whether the individual was previously convicted of a listed offense for which registration is required under this act.

(d) A statement specifically stating that the individual is not disqualified under subsection (14) from filing a petition under this section.

(6) An individual who knowingly makes a false statement in a petition filed under this section is guilty of perjury as proscribed under section 423 of the Michigan penal code, 1931 PA 328, MCL 750.423.

(7) A copy of the petition shall be filed with the office of the prosecuting attorney that prosecuted the case against the individual at least 30 days before a hearing is held on the petition. The prosecuting attorney may appear and participate in all proceedings regarding the petition and may seek appellate review of any decision on the petition.

(8) If the name of the victim of the offense is known by the prosecuting attorney, the prosecuting attorney shall provide the victim with written notice that a petition has been filed and shall provide the victim with a copy of the petition. The notice shall be sent by first-class mail to the victim's last known address. The petition shall include a statement of the victim's rights under subsection (11).

(9) If an individual petitions the court under subsection (1) or (2) for an offense described in subsection (15)(a) or (b) and the individual is not on the database maintained under section 8(2) at the time the petition is filed, the court may order the department not to place the individual on that database during the period in which the court is considering whether to grant the petition as follows:

(a) Except as provided in subdivision (b), for a period of 30 days after the date the order is issued or as provided by the court, whichever occurs first.

(b) If jurisdiction is continued by the court past the individual's seventeenth birthday, during the period in which jurisdiction is continued. The court shall notify the department of the order as required under section 8d.

(10) If an individual properly files a petition with the court under this section, the court shall conduct a hearing on the petition as provided in this section.

(11) The victim has the right to attend all proceedings under this section and to make a written or oral statement to the court before any decision regarding the petition is made. A victim shall not be required to appear at any proceeding under this section against his or her will.

(12) The court shall consider all of the following in determining whether to allow the individual to register under this act as provided in section 8d:

(a) The individual's age and level of maturity at the time of the offense.

(b) The victim's age and level of maturity at the time of the offense.

(c) The nature of the offense.

(d) The severity of the offense.

(e) The individual's prior juvenile or criminal history.

(f) The individual's likelihood to commit further listed offenses.

(g) Any impact statement submitted by the victim under the crime victim's rights act, 1985 PA 87, MCL 780.751 to 780.834, or under this section.

(h) Any other information considered relevant by the court.

(13) If the court determines that the individual meets the criteria for registration under section 8d, the court may order the individual to register under this act as provided in that section.

(14) The court shall not grant a petition filed under this section if any of the following apply:

(a) The individual was previously convicted of a listed offense for which registration is required under this act.

(b) The individual fails to carry the burden of proving by clear and convincing evidence that he or she is not likely to commit further listed offenses.

(c) The court determines that the offense involved any of the following:

(i) A factor set forth in section 520b(1)(b) to (h) of the Michigan penal code, 1931 PA 328, MCL 750.520b.

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- (ii) A factor set forth in section 520c(1)(b) to (l) of the Michigan penal code, 1931 PA 328, MCL 750.520c.
 - (iii) A factor set forth in section 520d(1)(b) to (e) of the Michigan penal code, 1931 PA 328, MCL 750.520d.
 - (iv) A factor set forth in section 520e(1)(b) to (f) of the Michigan penal code, 1931 PA 328, MCL 750.520e.
 - (d) The individual is charged in this state or elsewhere with committing, attempting to commit, or conspiring to commit a felony, other than the felony for which he or she has filed the petition for registration as provided under section 8d, or an offense that if committed by an adult would be a felony. This subsection does not prohibit the court from holding the petition in abeyance under subsection (4). As used in this subdivision, “felony” means a crime specifically designated to be a felony or that is punishable by imprisonment for more than 1 year.
 - (e) The individual was sentenced for the offense as an adult. This subdivision does not apply to an individual described in subsection (15)(c) who successfully completed his or her probationary period and was discharged from youthful trainee status.
 - (15) The right to petition under this section applies to all of the following individuals:
 - (a) An individual who is convicted as a juvenile under section 520b, 520c, or 520d of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, of committing, attempting to commit, or conspiring to commit a violation solely described in section 520b(1)(a), 520c(1)(a), or 520d(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, if either of the following applies:
 - (i) The individual was under 13 years of age when he or she committed the offense and is not more than 5 years older than the victim.
 - (ii) The individual was 13 years of age or older but less than 17 years of age when he or she committed the offense and is not more than 3 years older than the victim.
 - (b) An individual who was charged under section 520b, 520c, or 520d of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, with committing, attempting to commit, or conspiring to commit a violation solely described in section 520b(1)(a), 520c(1)(a), or 520d(1)(a) of the Michigan penal code, 1931 PA 328, MCL 750.520b, 750.520c, and 750.520d, and is convicted as a juvenile of violating, attempting to violate, or conspiring to violate section 520e or 520g of the Michigan penal code, 1931 PA 328, MCL 750.520e and 750.520g, if either of the following applies:
 - (i) The individual was under 13 years of age when he or she committed the offense and is not more than 5 years older than the victim.
 - (ii) The individual was 13 years of age or older but less than 17 years of age when he or she committed the offense and is not more than 3 years older than the victim.
 - (c) An individual who has successfully completed his or her probationary period under sections 11 to 15 of chapter II of the code of criminal procedure, 1927 PA 175, MCL 762.11 to 762.15, for committing a listed offense, and has been discharged from youthful trainee status.
- History:** Add. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.728d.Court order granting petition.

Sec. 8d.

- (1) An individual who petitions the court under section 8c to register as provided in this section shall register under this act as follows:
 - (a) For a violation described in section 8c(15)(a) or (b), the individual shall register under this act until the petition is granted but is not subject to the requirements of section 8(2).
 - (b) For a violation described in section 8c(15)(c) and for which the petition is granted, the individual shall register under this act for a period of 10 years after the date he or she initially registered or, if the individual was in a state correctional facility, for 10 years after he or she is released from that facility, whichever is greater, and is subject to the requirements of section 8(2) during that registration period.
- (2) If the court under section 8c orders an individual to register under this section pending the court's determination of the petition, the court shall promptly provide a copy of that order to the department and to the individual. If the department is provided with an order under this subsection for an individual described in

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section 8c(15)(a) or (b), the department shall not enter the individual's registration into the database maintained under section 8(2) until ordered by the court to do so or until expiration of the order, whichever occurs first.

(3) If the court grants a petition filed under section 8c, the court shall promptly provide a copy of that order to the department and to the individual. If the department is provided with an order under this subsection for a violation described in section 8c(15)(a) or (b), the department shall not enter the individual's registration into the database maintained under section 8(2) or, if the person is already registered, shall promptly remove that registration from the database maintained under section 8(2). The department shall promptly remove an individual's registration from the database maintained under section 8(1) upon expiration of the applicable registration period described in subsection (1) or (2) as provided in those subsections.

History: Add. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.729. Violations; penalties.

Sec. 9.

(1) Except as provided in subsections (2), (3), and (4), an individual required to be registered under this act who willfully violates this act is guilty of a felony punishable as follows:

(a) If the individual has no prior convictions for a violation of this act, other than a failure to comply with section 5a, by imprisonment for not more than 4 years or a fine of not more than \$2,000.00, or both.

(b) If the individual has 1 prior conviction for a violation of this act, other than a failure to comply with section 5a, by imprisonment for not more than 7 years or a fine of not more than \$5,000.00, or both.

(c) If the individual has 2 or more prior convictions for violations of this act, other than a failure to comply with section 5a, by imprisonment for not more than 10 years or a fine of not more than \$10,000.00, or both.

(2) An individual who fails to comply with section 5a, other than payment of the fee required under section 5a(6) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

(3) An individual who willfully fails to sign a registration, notice, or verification as provided in section 7(4) is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

(4) An individual who willfully refuses or fails to pay the registration fee prescribed in section 5a(6) or section 7(1) within 90 days of the date the individual reports under section 4a or 5a is guilty of a misdemeanor punishable by imprisonment for not more than 90 days.

(5) The court shall revoke the probation of an individual placed on probation who willfully violates this act.

(6) The court shall revoke the youthful trainee status of an individual assigned to youthful trainee status who willfully violates this act.

(7) The parole board shall rescind the parole of an individual released on parole who willfully violates this act.

(8) An individual's failure to register as required by this act or a violation of section 5(1), (3), or (4) may be prosecuted in the judicial district of any of the following:

(a) The individual's last registered address or residence.

(b) The individual's actual address or residence.

(c) Where the individual was arrested for the violation.

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 237, Eff. Oct. 16, 2004 .

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28.730. Confidentiality; exemption from disclosure; availability of information from compilation; violation as misdemeanor; penalty; civil cause of action; applicability of subsections (4) and (5) to compilation.

Sec. 10.

(1) Except as provided in this act, a registration or report is confidential and information from that registration or report shall not be open to inspection except for law enforcement purposes. The registration or report and all

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included materials and information are exempt from disclosure under section 13 of the freedom of information act, 1976 PA 442, MCL 15.243.

(2) A department post, local law enforcement agency, or sheriff's department shall make information from the compilation described in section 8(2) for the zip code areas located in whole or in part within the post's, agency's, or sheriff's department's jurisdiction available for public inspection during regular business hours. A department post, local law enforcement agency, or sheriff's department is not required to make a copy of the information for a member of the public.

(3) The department may make information from the compilation described in section 8(2) available to the public through electronic, computerized, or other accessible means.

(4) Except as provided in this act, an individual other than the registrant who knows of a registration or report under this act and who divulges, uses, or publishes nonpublic information concerning the registration or report in violation of this act is guilty of a misdemeanor punishable by imprisonment for not more than 93 days or a fine of not more than \$1,000.00, or both.

(5) An individual whose registration or report is revealed in violation of this act has a civil cause of action against the responsible party for treble damages.

(6) Subsections (4) and (5) do not apply to the compilation described in section 8(2) or information from that compilation that is provided or made available under section 8(2) or under subsection (2) or (3).

History: 1994, Act 295, Eff. Oct. 1, 1995 ;--Am. 1996, Act 494, Eff. Apr. 1, 1997 ;--Am. 1999, Act 85, Eff. Sept. 1, 1999 ;--Am. 2002, Act 542, Eff. Oct. 1, 2002 ;--Am. 2004, Act 240, Eff. Oct. 1, 2004 .

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28.731 Effective date.

Sec. 11.

This act shall take effect October 1, 1995.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

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28.732 Conditional effective date.

Sec. 12.

This act shall not take effect unless all of the following bills of the 87th Legislature are enacted into law:

(a) Senate Bill No. 193.

(b) Senate Bill No. 194.

(c) Senate Bill No. 400.

(d) House Bill No. 4601.

History: 1994, Act 295, Eff. Oct. 1, 1995 .

Compiler's Note: The bills referred to in this section were enacted into law as follows: Senate Bill No. 193 was filed with the Secretary of State July 13, 1994, and became P.A. 1994, No. 286, Eff. Oct. 1, 1995. Senate Bill No. 194 was filed with the Secretary of State July 13, 1994, and became P.A. 1994, No. 287, Eff. Oct. 1, 1995. Senate Bill No. 400 was filed with the Secretary of State July 14, 1994, and became P.A. 1994, No. 294, Eff. Oct. 1, 1995. House Bill No. 4601 was filed with the Secretary of State December 22, 1994, and became P.A. 1994, No. 355, Eff. Oct. 1, 1995.

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