

Texas SOR

Duties of Registration

Texas CCP, Ch. 62



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TOPICS

Unit 1.00

- Duties of Registration Overview
 - SOR-32 Notification of Registration Duties
 - When to Notify
 - Non-Compliance
- Questions

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IMPORTANT NOTES

Unit 1.00

- Registrants on Probation or Parole may have additional requirements / restrictions per their conditions of supervision.
- Registrants in a location that has an ordinance may have additional requirements / restrictions per the ordinance.

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IMPORTANT NOTES

Unit 1.00

- Creating an SOR Collaborative Team can assist with developing how your agency handles all aspects of your SOR program management
 - Internal and external stakeholders such as registrar, compliance officer, investigator, city attorney, DA's office, etc.
 - SOPs covering registrations, record keeping, verifications, compliance checks, and how to proceed when there is a non-compliance.

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NOTIFICATION OF REGISTRATION DUTIES TEXAS SEX OFFENDER REGISTRATION PROGRAM									
ARTICLE 62.053, Code of Criminal Procedure – Release or Discharge from a Penal Institution or Release to Community Supervision, Parole, Mandatory Supervision or the Law Enforcement Registering Authority									
Full Name (Last, First, Middle)									
Date of Birth mm/dd/yyyy	Sex	Race	Hgt	Wgt	Eyes	Hair	Social Security Number		
DL Number	State	ID Number	State	SID Number	FBI Number	TDCJ-ID Number			
Offense (Title) and Statute	State	<input type="checkbox"/> Federal <input type="checkbox"/> Military <input type="checkbox"/> OOC	Offense Date	Disposition Date	Discharge Date	Victim(s) Sex/Age			
Offense (Title) and Statute	State	<input type="checkbox"/> Federal <input type="checkbox"/> Military <input type="checkbox"/> OOC	Offense Date	Disposition Date	Discharge Date	Victim(s) Sex/Age			
Offense (Title) and Statute	State	<input type="checkbox"/> Federal <input type="checkbox"/> Military <input type="checkbox"/> OOC	Offense Date	Disposition Date	Discharge Date	Victim(s) Sex/Age			
Length of Duty:		Lifetime 15 Yrs		Post 10 Yr 25 Yrs		At Discharge (Court/Board Ordered) enter discharge date			

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VERIFICATION

Unit 1.01

____ **Initial Verification of Registration Upon Release or Discharge from a Penal Institution or Release to Community Supervision, Parole, Mandatory Supervision, or the Law Enforcement Registering Authority:** No later than the 7th day after ____ (date of release/placement on community supervision or juvenile probation), I must personally appear at the following local law enforcement authority to verify and complete my registration:

No later than the 7th day after XX/XX/XXXX (date of move to new address), appear in person at the following local law enforcement authority:

____ **Verification of Registration:**

Local Law Enforcement Agency Name: _____

Agency Address/City/State/Zip: _____

Notification to Authority for Campus Security Agency: _____

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INITIAL VERIFICATION

Unit 1.02

§62.053

A registrant will initially verify with local law enforcement:

- Within 7 days after being released from a penal institution
- Within 7 days after being placed on community supervision

The local law enforcement agency shall require the registrant to provide proof of identity and residence §62.058(c)

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SUPERVISION (CONDITIONAL)

Unit 1.02

If registrant is on juvenile probation, adult probation, or parole, and

- Registrant does not move to the address intended, then
- Registrant must notify supervising officer no later than the 7th day after release

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REGISTRATION

Unit 1.02

§62.051(a)

No later than the 7th day after arrival, registrant must register with the local law enforcement authority where residing, or intending to reside, for more than seven days.

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PERIODIC VERIFICATION

Unit 1.02

§62.058, 62.051(e-1), & 62.202

- **30 Day** – Civilly committed as a sexually violent predator (3 days before and 3 days after)
- **90 Day** – 2 or more counts of sexually violent offenses (7 days before and 7 days after)
- **Annual** – All other sex offenders on their birthday (30 days before and 30 days after)

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ADDITIONAL INFORMATION AS REQUIRED BY THE DEPARTMENT

Unit 1.02

§62.051(c)(9)

Includes, but not limited to:

- ✓ Blood type
- ✓ Nearest relative's name and address
- ✓ Identification of any vehicle(s) owned or operated by registrant

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CHANGE OF ADDRESS

Unit 1.02

§62.055

Registrant notifies verifying agency no less than 7 days before a move

Verifying agency notifies other jurisdiction within 3 days

Registrant notifies verifying agency no more than 7 days after a move

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CHANGE OF ADDRESS

Unit 1.02

§62.055

If registrant has not moved by the 7th day after the anticipated move date:

Registrant must report weekly to their verifying agency (and supervising officer if applicable).

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CHANGE OF ADDRESS

Unit 1.02

§62.055

What if....

Registrant resides in Houston and is verifying with Houston Police Department and decides to take a 2 week vacation in Dallas

Registrant resides in Fort Worth and is verifying with Fort Worth Police Department and decides to take a 5 day ski vacation to Colorado. On the last day, he breaks his leg on the slopes and cannot return home as expected. Another 3 days go by before he can return home.

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LACK OF ADDRESS

Unit 1.02

§62.055(i)

Residing for more than 7 days at a location or locations to which a physical address has not been assigned by a governmental entity:

- Report every 30 days
- Provide a detailed description of the location(s)

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LACK OF ADDRESS

Unit 1.02

§62.055(i)

What if....

Registrant has been homeless but is now residing at a hotel. Is he still considered a Lack of Address (Transient)?

Registrant is living in a car on some land he owns. Is he considered Lack of Address (Transient)?

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DL / ID REQUIREMENTS

Unit 1.02

§62.060

- Apply for the Annually Renewable Classified Sex Offender (CSO) Driver License or Identification within 30 days of registration
- Must maintain the annually renewable CSO DL or ID
- Failure to apply or maintain will result in automatic revocation

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STATUS CHANGES


Unit 1.02

§62.057(b)

Report within 7 days of the following changes:

- ✓ Name
- ✓ Health
- ✓ Education
- ✓ Job
- ✓ Online identifiers

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**PROHIBITED EMPLOYMENT
(CONDITIONAL)** Unit 1.02

§62.063

- ✓ Disposition date on or after Sept. 1, 2013?
- ✓ Texas offense?
- ✓ Offender was 17 years of age or older at the time of the offense?
- ✓ Sexually violent offense?
- ✓ Affirmative finding the victim was younger than 14 years of age at the time of the offense?

If the answer is YES to ALL of the questions for at least one reportable offense...

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**PROHIBITED EMPLOYMENT
(CONDITIONAL)** Unit 1.02


§62.063

The registrant may NOT, for compensation:

Operate, offer to operate, provide, or offer to provide:

- Bus
- Taxi
- Limousine
- Amusement ride (Defined under Occupations Code 2151.002)
- Service in a residence unless supervised

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CHANGE IN ONLINE IDENTIFIERS Unit 1.02


§62.0551

No later than the 7th day after changing an online identifier or establishing a new online identifier, the registrant must report the change to their verifying agency

§62.001(12)

The term includes an assumed name, nickname, pseudonym, moniker, or user name established by a person for use in connection with an electronic mail address, chat or instant chat room platform, commercial social networking site, or online picture-sharing service.

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CHANGE IN ONLINE IDENTIFIERS Unit 1.02

Examples of Online Identifiers include, but not limited to:

- Facebook
- Snapchat
- Instagram
- Twitter
- XBox
- Dating Sites
- eBay
- TikTok
- Waze
- Playstation

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**INSTITUTION OF HIGHER EDUCATION
NOTIFICATION**


§62.153

Within 7 days of starting work, carrying on a vocation, or attending classes, report to:

- ✓ Authority for Campus Security; and
- ✓ Verifying agency

Unit 1.02

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**DEFINITION OF EMPLOYMENT OR
VOCATION**

§62.151

A person is employed or carries on a vocation if the person works or volunteers on a full-time or part-time basis:

- ✓ for a consecutive period exceeding 14 days or for an aggregate period exceeding 30 days in a calendar year
- ✓ regardless if the person works for compensation or for governmental or educational benefit.

Unit 1.02

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PROHIBITED LOCATION OF RESIDENCE (CONDITIONAL)

§62.064

If a registrant wants to reside on the campus of a public or private institution of higher education:

If offense was committed on or after 09/01/2017, registrant is prohibited unless:

- ✓ Received approval from the IHE to reside on campus and
- ✓ Has been assessed a Low risk level

Unit 1.06

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CERTAIN WORKERS AND STUDENTS Unit 1.02



A registrant may be required to register concurrently in Texas and another state

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CERTAIN WORKERS AND STUDENTS Unit 1.02

Residing outside of Texas (62.152(a)):

- Work, vocation, or school in Texas: shall register in Texas within 7 days

Residing in Texas (62.051(i)):

- Work, vocation, or school in another state: shall register in the other state within 10 days

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CERTAIN WORKERS AND STUDENTS Unit 1.02

Examples:

Individual resides in Texarkana, Texas, and is registering in Texas. He has started a new job that is located in Texarkana, Arkansas. The job is Monday thru Friday, he returns home at the end of each work day.

Individual resides in Vicksburg, Mississippi, however, his job has him traveling to Texas for work. He arrives in Texas on Monday and stays in a hotel until he returns home on Friday. His Mississippi offense is substantially similar to a Texas reportable offense.

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ENTRY ONTO SCHOOL PREMISES Unit 1.02

§62.065

Registrants must immediately notify school administration upon:

- Entering the premises of any private or public elementary or secondary school or daycare
- During standard operating hours of the school

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ENTRY ONTO SCHOOL PREMISES Unit 1.02

§62.065

Exemptions:

- Registrant is a student enrolled at the school
- Registrant is from another school participating at an event at the school
- Registrant has entered into a written agreement with the school

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PERSONS REGULARLY VISITING

Unit 1.02

§62.059

If registrant stays:

- ✓ 48 or more consecutive hours in another jurisdiction
- ✓ 3 or more times in any month

Must report before the last day of that month:

- ✓ All information required for registration
- ✓ Address visiting
- ✓ Statement if returning the following month
- Paperwork kept in-house
- School notification not required

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PERSONS REGULARLY VISITING

Unit 1.02

Examples:

Registrant resides in San Antonio and verifies with San Antonio Police Department. He travels to Bandera to visit his girlfriend every Friday evening and stays until Monday morning before returning to San Antonio.

Registrant resides in Beaumont and verifies with Beaumont Police Department. He travels to Louisiana to gamble every Friday evening and stays until Monday morning before returning to Beaumont.

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PERSONS REGULARLY VISITING

Unit 1.02

Examples:

Registrant resides in Austin and verifies with Austin Police Department. He travels for work and one week he goes to Dallas staying Monday thru Friday. The next week he travels to Corpus Christi, staying Monday thru Friday. The following week he travels to Houston, staying Monday thru Friday.

Registrant resides in Del Rio and verifies with Del Rio Police Department. He travels to Mexico to visit family every Friday evening and stays until Monday morning before returning to Del Rio.

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POSTCARD NOTIFICATION COSTS

Unit 1.02

§62.056

Postcards regarding high risk and civil commit registrants are sent to all addresses within a:

- One mile radius – non subdivided (rural)
- Three block radius – subdivided (urban)

Registrants, excluding registrants with juvenile offense(s), will be billed the fees for printing and mailing these postcard notifications

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LOCAL LAW ENFORCEMENT POLICIES

§62.058

All registrations, verifications, and notifications of change of status must be provided in person and within the time-periods defined by Chapter 62

A registrant is compliant if appeared within the time-period defined yet was instructed by the verifying agency to return on a date outside the time-period

Unit 1.02

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DNA SPECIMENS

Unit 1.02

§62.061

A person required to register under this chapter shall comply with a request for a DNA specimen made by a law enforcement agency.

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CRIMINAL PENALTIES (FEDERAL)

Unit 1.02

Adam Walsh Child Protection and Safety Act of 2006 and
Sex Offender Registration and Notification Act (SORNA)

If a registrant travels across state lines or into another country, the registrant may be prosecuted under federal law for a failure to comply.

Regardless of travel, if the registrant is registering for a federal, military, tribal, or US territorial offense, the registrant may be prosecuted under federal law for a failure to comply.

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CRIMINAL PENALTIES (TEXAS)

Unit 1.02

§62.102

1st Failure to Comply conviction:

Post-10 – State Jail Felony
Lifetime / Annual – 3rd Degree Felony
Lifetime / Quarterly or Civil Commit – 2nd Degree Felony
BOO / COO / ICC – could be FTC or Revocation of Supervision
EJO – could be FTC or Federal

Subsequent FTC can be enhanced 1 degree higher

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COMPLETE AND ACCURATE

Unit 1.02

§62.051(g)

Registrant is required to provide complete and accurate information

§62.051(k)

Registrant may not refuse or fail to provide any information required

62.058(c)

Registrant confirms the information is complete and accurate by signing the form

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SUGGESTIONS OF WHEN TO NOTIFY

Unit 2.00

- ✓ First time reporting to your agency
- ✓ Updated reportable offense(s)
- ✓ Updated Ending Registration Date or Verification period
- ✓ Annually or when the form changes
- ✓ Leaving your jurisdiction

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NON-COMPLIANCE

Unit 3.00

Failing to report for Verification:

Initial or Periodic

Failing to report a Change of Status:

Changing residence, no less than 7 days prior to move
Move to new Texas address, no more than 7 days after arrival
Job change, no more than 7 days after change
Educational status change, no more than 7 days after change
Online identifier change, no more than 7 days after change
Vehicle or phone number change, at next verification

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VENUE

Unit 3.01

Texas CCP §13A.551

Subchapter J – Offenses Outside Penal Code

A failure to comply with Chapter 62 may be prosecuted in any county in which:

- (1) an element of the offense occurs;
- (2) defendant last registered, verified registration, or otherwise complied
- (3) defendant indicated intent to reside, regardless of whether defendant establishes or attempts to establish residency in that county;
- (4) defendant is placed under custodial arrest
- (5) defendant resides or is found by a peace officer, regardless of how long the defendant has been in the county or intends to stay in the county

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NON-COMPLIANCE ASSISTANCE

Unit 3.02

Contact your local DPS CID agent, US Marshal, or even the Constable's office to assist with Compliance Checks

DPS Intelligence & Counterterrorism (ICT)

SexOffender_Compliance@dps.texas.gov

National Data Exchange (N-DEX)

Request access through LEEP by contacting TDEX@dps.texas.gov

National Center for Missing & Exploited Children's (NCMEC) Sex Offender Tracking Team (SOTT) NSOTC@ncmec.org

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COMMON QUESTIONS

Unit 3.02

Is a registrant allowed to live near an elementary school?

Is a registrant allowed to participate in Halloween activities?

Is a registrant allowed to be a coach?

Is a registrant allowed to be an over-the-road long haul truck driver?

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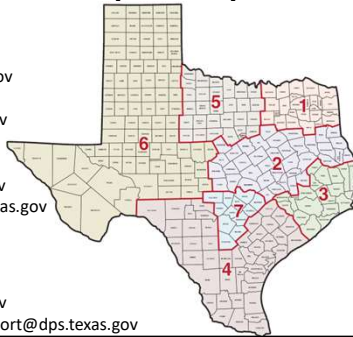
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