Texas SOR Successful Program Management



TOPICS

Unit 1.00

Registration Requirements

Program Components
Administrative
Compliance
Non-Compliance

Questions

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IMPORTANT NOTES

Unit 1.00

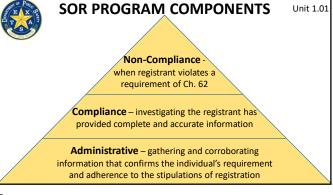
- Creating an SOR Collaborative Team can assist with developing how your agency handles all aspects of your SOR program management
- ➤ A Local Law Enforcement Agency's Standard Operating Procedures (SOP) can be used to reinforce a Failure to Comply case
- The following are recommendations only and should not replace your agency's policies or procedures. DPS does not have the authority to dictate your agency's polices or procedures.

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REGISTRATION REQUIREMENTS Uni

- > Duty to Register?
- Length of Duty to Register
- > Frequency of Verification

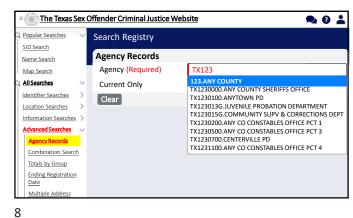
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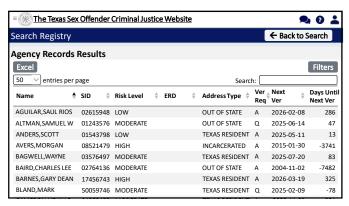


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SOR ADMINISTRATIVE COMPONENT Unit 1.02

Recommendation for what to include in the file:

✓ Court Documents for all reportable offenses

✓ Recent signed SOR-32 Notification of Registration Duties

✓ Signed SOR-35 Registration after each update

✓ Copies of any other documents provided by the registrant to substantiate the registration information

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SOR ADMINISTRATIVE COMPONENT Unit 1.02

Ensure the record is accurate and complete

Maintain a file of the registrant's documents that conforms with your agency's SOP

Keep up with when verifications are due and follow your agency's policy and procedures for delinquent registrants

Notice of new registrant to your jurisdiction:

Make note of registrant's last day to report to your agency
Confirm duty to register, length of duty to register, and frequency of verification

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SOR ADMINISTRATIVE COMPONENT Unit 1.03

Notice of new registrant to your jurisdiction:

➤ Individual reported to your agency
✓ Complete paperwork and update SOR

OR

- > Individual did not report to your agency
 - ✓ Advise the agency that sent you notice

SOR ADMINISTRATIVE COMPONENT Unit 1.03

Periodic Verification:

§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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SOR ADMINISTRATIVE COMPONENT Unit 1.03

Verification of Registration:

§62.058(c)

- Local law enforcement agency require registrant to produce proof of identity and residence.
- Registrant confirms registration information is complete and accurate by signing the form.

SOR ADMINISTRATIVE COMPONENT Unit 1.04

Notice to Superintendent or School Administrator:

§62.053 & 62.055

Within 8 days of receiving a registration or change of address, verify:

- ✓ age of the victim(s) at the time of the offense
- √ reportable offense(s)
- ✓ risk level

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SOR ADMINISTRATIVE COMPONENT Unit 1.04

Notice to Superintendent or School Administrator:

§62.053, 62.054, & 62.055

Immediately provide notice if <u>any</u> of the following are true:

- ✓ The victim was younger than 17 or a student enrolled in a public or private secondary school;
- ✓ The registrant currently is a student in a public or private secondary school; or
- ✓ The offender is registered for the offense of:
 - Sexual Performance by a Child (PC §43.25) or
 - Possession or Promotion of Child Pornography (PC §43.26)

SOR ADMINISTRATIVE COMPONENT Unit 1.04

Notice to Superintendent or School Administrator:

§62.053(f) & 62.055(g)

Include in the notice any information the authority determines is necessary to protect the public, *EXCEPT*:

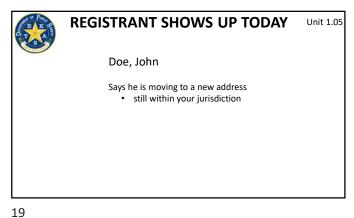
- ✓ social security number;
- √ driver's license number;
- $\checkmark\,$ any home, work, or cellular telephone number;
- $\checkmark\,$ any information that would identify the victim of the offense

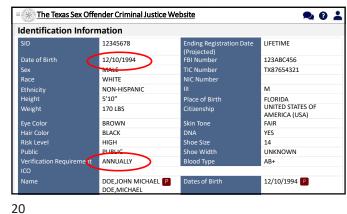
§62.054(b)

EXCLUDED:

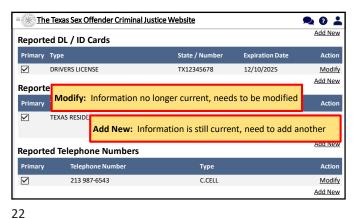
Notice will <u>NOT</u> occur if the offender is registered for the offense of Prohibited Sexual Conduct (incest), PC §25.02

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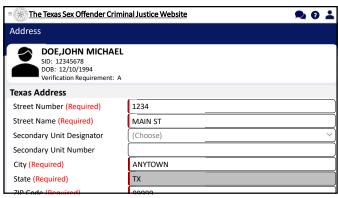


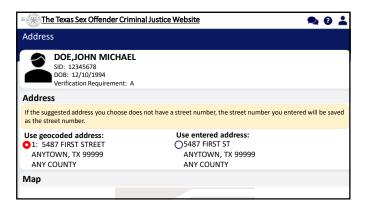


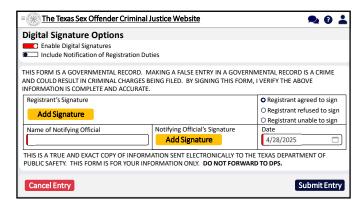




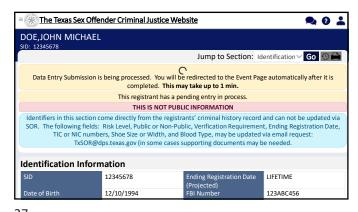


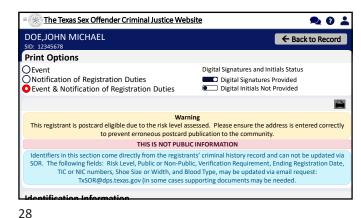






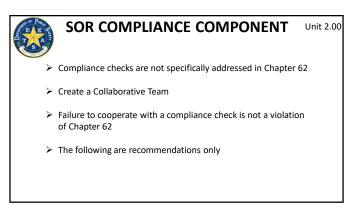
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SOR COMPLIANCE COMPONENT

Unit 2.01

Common compliance violations:

- > Not reporting for a required Verification
- Not reporting a change of address
 - ✓ Go to the registrant's last known residence
 - ✓ Mail a non-forwardable SOR-35 to the registrant's last known residence, which must be returned by the registrant within 21 days after receipt §62.058(d)



SOR COMPLIANCE COMPONENT

Unit 2.02

Contact your local DPS CID agent, US Marshal, or 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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SOR NON-COMPLIANCE COMPONENT

Venue

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

Unit 3.00

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SOR NON-COMPLIANCE COMPONENT

§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

Unit 3.00

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SOR NON-COMPLIANCE COMPONENT

Establish the Facts:

- > Duty to Register?
- > If not Lifetime, was required to register at the time of the offense?
- > Frequency of Verification
- All the evidence that either corroborates or refutes the elements of the non-compliance offense

Unit 3.01

SOR Training and Development Specialists Region 1: Tvon.Cooper@dps.texas.gov Region 2: Charles.Francis@dps.texas.gov Region 3: Barry.lves@dps.texas.gov Region 4: Lindsey.Simon@dps.texas.gov Region 5: Irene.Munoz@dps.texas.gov Region 6: Rodney.Hall@dps.texas.gov Region 7: Michael.Holm@dps.texas.gov Asst. Coord. Christine.Eltgroth@dps.texas.go Sex Offender Registration Unit General Number: (512) 424-2800 General Fax: (512) 424-7702 General Email: TxSOR@dps.texas.gov Secure Site Support Email: TxSOR-Support@dps.texas.gov