

MISSISSIPPI SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

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NUMBER OF REGISTERED SEX OFFENDERS

2,324 as of January 23, 2003.

1. WHO IS REQUIRED TO REGISTER?

Any person residing in Mississippi who has been convicted of any sex offense or attempted sex offense or who has been acquitted by reason of insanity for any sex offense or attempted sex offense or twice adjudicated delinquent for any sex offense or attempted sex offense is required to register.

(Miss. Code Ann. § 45-33-25(1))

2. WHAT DOES “SEX OFFENSE” MEAN?

“Sex offense” means any of the following:

- (1) kidnapping, if the victim was under 18;
- (2) rape;
- (3) assault with intent to ravish;
- (4) sexual battery;
- (5) enticing a minor for concealment, prostitution, or marriage;
- (6) touching a minor for lustful purposes;
- (7) disseminating sexually oriented material to minor;
- (8) exploiting a minor through:
 - (a) causing or knowingly permitting any minor to engage in sexually explicit conduct or in the simulation of sexually explicit conduct for the purpose of producing any visual depiction of such conduct;
 - (b) photographing, drawing, sketching, filming, videotaping, or otherwise depicting or recording a minor engaging in sexually explicit conduct or in the simulation of sexually explicit conduct;
 - (c) knowingly sending, transporting, transmitting, shipping, mailing, or receiving any photograph, drawing, sketch, film, videotape, or other visual depiction of a minor engaging in sexually explicit conduct;
 - (d) receiving with the intent to distribute, distribute for sale, sell, or attempt to sell in any manner any photograph, drawing, sketch, film, or videotape that depicts a minor engaging in sexually explicit conduct; or
 - (e) possessing any photograph, drawing, sketch, film, or videotape that depicts a minor engaging in sexually explicit conduct;
- (9) carnal knowledge of a stepchild, adopted child, or child of a cohabiting partner;
- (10) unnatural intercourse;
- (11) attempting to commit any offense listed in (1) through (10) above; or
- (12) adultery or fornication between teacher and pupil.

(Miss. Code Ann. § 45-33-23(g))

3. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

If a juvenile is adjudicated delinquent at least two times for any sex offense or attempted sex offense, he or she will be required to register.

(Miss. Code Ann. § 45-33-25(1))

4. WHEN AND WHERE DOES AN OFFENDER REGISTER?

An offender must generally register with the Mississippi Department of Public Safety.

(Miss. Code Ann. § 45-33-25(1))

An offender who is required to register on the basis of a conviction, adjudication of delinquency, or acquittal by reason of insanity must register within three days of the date of the judgment, unless he or she is immediately confined or committed, in which case he or she must register when released.

(Miss. Code Ann. § 45-33-27(1))

An offender who moves or returns to Mississippi from another jurisdiction must notify the Mississippi Department of Public Safety 10 days before he or she first resides in or returns to a county in Mississippi, and must register with the Mississippi Department of Public Safety within 10 days of first residing in or returning to a county in Mississippi. The offender must also present him- or herself to the sheriff of the county in which he or she intends to reside to provide the required registration information.

(Miss. Code Ann. § 45-33-27(5))

Any offender, other than one who is confined in a correctional or juvenile-detention facility or involuntarily committed on the basis of mental illness, who is required to register on the basis of a sex offense for which a conviction, adjudication, or delinquency or acquittal by reason of insanity was entered prior to July 1, 1995, must have registered with the sheriff of the county in which he or she resides no later than August 15, 2000.

(Miss. Code Ann. § 45-33-27(6))

5. WHAT INFORMATION MUST AN OFFENDER PROVIDE AT THE TIME OF REGISTRATION?

Any offender who is required to register must provide his or her:

- (1) name or aliases used;
- (2) street address;
- (3) place of employment;
- (4) offense for which he or she was convicted;
- (5) date and place of conviction, adjudication, or acquittal by reason of insanity;
- (6) social-security number;
- (7) date and place of birth;
- (8) age;
- (9) race;
- (10) sex;
- (11) height and weight;
- (12) hair and eye color;
- (13) offense(s) for which registration is required;
- (14) identifying factors;
- (15) anticipated future residence;
- (16) offense history;
- (17) photograph;
- (18) fingerprints;

- (19) documentation of any treatment received for a mental abnormality or personality disorder;
- (20) biological sample;
- (21) name of any institution of higher learning at which he or she is employed, carries on a vocation, with or without compensation, or is enrolled as a student; and
- (22) any other information deemed necessary.

(Miss. Code Ann. § 45-33-25(2))

6. WHAT HAPPENS IF AN OFFENDER CHANGES HIS OR HER ADDRESS OR OTHER REGISTRATION INFORMATION DURING THE REGISTRATION PERIOD?

If an offender's address changes, he or she must notify the Mississippi Department of Public Safety, in writing, no less than 10 days before he or she intends to first reside at the new address.

(Miss. Code Ann. § 45-33-29(1))

Any change in the status of an offender's employment or vocation at any institution of higher learning must be reported, in writing, to the Mississippi Department of Public Safety within 10 days of the change.

(Miss. Code Ann. § 45-33-29(2))

7. WHAT HAPPENS IF AN OFFENDER MOVES FROM MISSISSIPPI TO ANOTHER STATE?

Upon notification by an offender that he or she intends to reside outside of Mississippi, the Mississippi Department of Public Safety must notify the appropriate law-enforcement agency of any state to which an offender is moving or has moved.

(Miss. Code Ann. § 45-33-53(1))

8. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO MISSISSIPPI REQUIRED TO REGISTER?

Any offender who has been convicted in another state or jurisdiction of any sex offense must register with the Mississippi Department of Public Safety. Any offender who is required to register in the state or jurisdiction where the conviction was handed down is required to register with the Mississippi Department of Public Safety, even if the offense resulting in registration is not a covered offense in Mississippi.

(Miss. Code Ann. §§ 45-33-23(g)(xiii)-(xiv))

9. IS REGISTRATION A LIFETIME REQUIREMENT?

An offender is subject to lifetime registration and will never be relieved of the duty to register if he or she is convicted of:

- (1) rape;
- (2) rape and assault with the intent to ravish;
- (3) sexual battery;
- (4) exploitation of a minor through causing or knowingly permitting any minor to engage in sexually explicit conduct or in the simulation of sexually explicit conduct for the purpose of producing any visual depiction of such conduct or through photographing, drawing, sketching, filming, videotaping, or otherwise depicting or recording a minor engaging in sexually explicit conduct or in the simulation of sexually explicit conduct;
- (5) carnal knowledge of a stepchild, adopted child, or child of a cohabiting partner; or
- (6) any conviction for a violation of a similar law of another jurisdiction.

(Miss. Code Ann. § 45-33-47(2)(b))

An offender who has two separate sex-offense convictions is subject to lifetime registration and is not eligible to petition to be relieved of the duty to register as long as at least one of the convictions was entered on or after July 1, 1995.

(Miss. Code Ann. § 45-33-47(2)(c))

An offender who resides in Mississippi and who has been designated a sexual predator, a sexually violent predator, or a similar designation in another state, is subject to lifetime registration and is not eligible to petition to be relieved of the duty to register.

(Miss. Code Ann. § 45-33-47(2)(d))

An offender twice adjudicated delinquent in a youth court for the offense of rape or sexual battery is subject to lifetime registration and is not eligible to petition to be relieved of the duty to register.

(Miss. Code Ann. § 45-33-47(2)(e))

All other offenders who are required to register may petition the circuit court of the sentencing jurisdiction to be relieved of the duty to register, provided he or she has maintained his or her registration in Mississippi for at least 10 years after release from prison or placement on parole, supervised release, or probation. Incarceration for any offense restarts the 10-year minimum time requirement. Registration in any other jurisdiction or state will not reduce the 10-year time requirement for maintaining registration in Mississippi.

(Miss. Code Ann. § 45-33-47(2)(a))

10. ARE THERE ANY PENALTIES FOR FAILING TO REGISTER OR FOR PROVIDING FALSE INFORMATION?

The failure of an offender to provide any registration or other information, including initial registration, re-registration, or change of address information, is a felony offense and is punishable by no more than a \$5,000 fine, imprisonment in the state penitentiary for no more than five years, or both.

(Miss. Code Ann. §§ 45-33-33(1)-(2))

11. WHAT INFORMATION IS RELEASED TO THE PUBLIC ABOUT REGISTERED OFFENDERS?

Records on registered sex offenders are open to law-enforcement agencies that, in turn, are authorized to release relevant and necessary information to the public.

(Miss. Code Ann. § 45-33-49(1))

The sheriff maintains records for registered offenders in the county and, upon request, must make available to any person the name, address, place of employment, offense for which convicted, date and place of conviction, and any other information deemed necessary for the protection of the public.

(Miss. Code Ann. § 45-33-49(3))

Upon written request, the Mississippi Department of Public Safety may also provide the name, address, photograph if available, date of photograph, place of employment, offense for which convicted, date and place of conviction, hair and eye color, race, sex, date of birth, and any other information deemed necessary for the protection of the public.

(Miss. Code Ann. § 45-33-49(4))

12. CAN I SEARCH THE INTERNET FOR OFFENDERS IN MY AREA?

The Mississippi Sex-Offender Registry is available online at <http://www.sor.mdps.state.ms.us/>. The registry can be searched by last name, city, zip code, or county.

Information available includes the offender's:

- (1) name;
- (2) race;
- (3) sex;
- (4) date of birth;
- (5) height and weight;
- (6) hair and eye color;
- (7) address;
- (8) offense location; and
- (9) offense(s).

13. WHAT IS THE PENALTY FOR MISUSE OF OFFENDER INFORMATION?

Any person who willfully misuses or alters public-record information relating to a sex offender or sexual predator is guilty of a misdemeanor and will be punished by a fine of no more than \$1,000, imprisonment in the county jail for no more than six months, or both.

(Miss. Code Ann. § 45-33-51(1))

The sale or exchange of sex-offender information for profit is strictly prohibited and constitutes a misdemeanor punishable by a fine of no more than \$1,000, imprisonment in the county jail for no more than six months, or both.

(Miss. Code Ann. § 45-33-51(2))