

# NEVADA SEX-OFFENDER REGISTRATION AND NOTIFICATION

## CONTACT INFORMATION

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## NUMBER OF REGISTERED SEX OFFENDERS

3,557 as of December 31, 2002.

### **1. WHO IS REQUIRED TO REGISTER?**

Sex offenders and offenders convicted of a crime against a child are required to register.

### **2. WHAT DOES “SEX OFFENDER” MEAN?**

“Sex offender” means a person who, after July 1, 1956, is or has been:

- (1) convicted of a sexual offense; or
- (2) adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a sexual offense.

*(Nev. Rev. Stat. § 179D.400(1); § 179D.610(1))*

The term sex offender includes sexually violent predators.

*(Nev. Rev. Stat. § 179D.400(2)(a); § 179D.610(2)(a))*

### **3. WHAT DOES “SEXUALLY VIOLENT PREDATOR” MEAN?**

“Sexually violent predator” means a person who:

- (1) has been convicted of a sexually violent offense;
- (2) suffers from a mental or personality disorder; and
- (3) has been declared to be a sexually violent predator.

*(Nev. Rev. Stat. § 179D.430(1))*

### **4. WHAT DOES “OFFENDER CONVICTED OF A CRIME AGAINST A CHILD” MEAN?**

“Offender convicted of a crime against a child” means a person who, after July 1, 1956, is or has been:

- (1) convicted of a crime against a child; or
- (2) adjudicated delinquent or found guilty by a court having jurisdiction over juveniles of a crime against a child.

*(Nev. Rev. Stat. § 179D.216(1))*

### **5. WHAT DOES “SEXUAL OFFENSE” MEAN?**

“Sexual offense” means any of the following offenses:

- (1) murder in the first degree committed in perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a minor under 14;
- (2) sexual assault;

- (3) statutory sexual seduction;
- (4) battery with the intent to commit sexual assault;
- (5) an offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony, if the felony is an enumerated sexual offense;
- (6) an offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence, if the crime of violence is an enumerated sexual offense;
- (7) abuse of a minor, if the abuse involved sexual abuse or sexual exploitation;
- (8) an offense involving pornography and a minor;
- (9) incest;
- (10) solicitation of a minor to engage in acts constituting the infamous crime against nature;
- (11) open or gross lewdness;
- (12) indecent or obscene exposure;
- (13) lewdness with a minor;
- (14) sexual penetration of a dead human body;
- (15) luring a minor using a computer, system, or network, if punished as a felony;
- (16) annoyance or molestation of a minor;
- (17) an attempt to commit an offense listed in (1) through (16) above;
- (18) an offense that is determined to be sexually motivated;
- (19) an offense committed in another jurisdiction that, if committed in Nevada, would be a sexual offense; or
- (20) an offense of a sexual nature committed in another jurisdiction, whether or not the offense would be a sexual offense in Nevada, if the offender resides or has resided or is or has been a student or worker in any jurisdiction in which the person is or has been required by the laws of that jurisdiction to register as a sex offender because of the offense.

*(Nev. Rev. Stat. § 179D.410; § 179D.620)*

## **6. WHAT DOES “SEXUALLY VIOLENT OFFENSE” MEAN?**

“Sexually violent offense” means any of the following:

- (1) murder in the first degree committed in the perpetration or attempted perpetration of sexual assault, sexual abuse, or sexual molestation of a minor under 14;
- (2) sexual assault;
- (3) battery with the intent to commit sexual assault;
- (4) an offense involving pornography and a minor;
- (5) an attempt to commit an offense listed in (1) through (4) above;
- (6) an offense that is determined to be sexually motivated;
- (7) an offense committed in another jurisdiction that, if committed in Nevada, would be a sexually violent offense; or
- (8) any other sexual offense if, during the commission of the offense, the offender engaged in or attempted to engage in:
  - (a) sexual penetration of a minor under 12; or
  - (b) nonconsensual sexual penetration of any other person.

*(Nev. Rev. Stat. § 179D.420)*

## **7. WHAT DOES “CRIME AGAINST A CHILD” MEAN?**

“Crime against a child” means any of the following offenses if the victim was under 18 when the offense was committed:

- (1) kidnapping, unless the offender is the parent of the victim;
- (2) false imprisonment, unless the offender is the parent of the victim;

- (3) an offense involving pandering or prostitution;
- (4) an attempt to commit an offense listed in (1) through (3) above;
- (5) an offense committed in another jurisdiction that, if committed in Nevada, would be a crime against a child;
- (6) an offense against a child committed in another jurisdiction, whether or not the offense is listed in (1) through (5) above, if the offender resides or has resided or is or has been a student or worker in any jurisdiction in which he or she has been required by the laws of that jurisdiction to register as an offender who has committed a crime against a child because of the offense.

*(Nev. Rev. Stat. § 179D.210)*

**8. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?**

If a juvenile is adjudicated delinquent for committing a crime against a child or a sexual offense, he or she may be required to register.

*(Nev. Rev. Stat. § 179D.035)*

**9. WHEN AND WHERE DOES AN OFFENDER REGISTER?**

Each offender who, after July 1, 1956, is or has been convicted of a sexual offense or a crime against a child must register with the sheriff's office of the county or, if the county or the city is within the jurisdiction of a metropolitan police department, the police department. The offender must register no later than 48 hours after arriving or establishing residence within a county or city in Nevada.

*(Nev. Rev. Stat. §§ 179D.240(1), (2); § 179D.460(1), (2))*

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

A record of registration must include:

- (1) information identifying the offender including his or her:
  - (a) name and all aliases used or under which he or she has been known;
  - (b) complete physical description;
  - (c) current photograph;
  - (d) fingerprints;
  - (e) date of birth;
  - (f) social-security number;
  - (g) identification number from a driver's license or an identification card issued to him or her by Nevada or any other jurisdiction; and
  - (h) any other information that identifies him or her;
- (2) information concerning the offender's residence such as:
  - (a) the address at which he or she resides;
  - (b) the length of time he or she has resided at that address and the length of time he or she expects to reside at that address;
  - (c) the address or location of any place where he or she expects to reside in the future and the length of time he or she expects to reside there; and
  - (d) the length of time he or she expects to remain in the county where he or she resides in Nevada;
- (3) information concerning the offender's occupations, employment, or work or expected occupations, employment, or work including the name, address, and type of business of all current and expected future employers;
- (4) information concerning the offender's volunteer service or expected volunteer service in connection with any activity or organization within Nevada including the name, address, and type of each such activity or organization;

- (5) information concerning the offender's enrollment or expected enrollment as a student in any public or private educational institution or school in Nevada including the name, address, and type of each such educational institution or school;
- (6) the license number and a description of all motor vehicles registered to or frequently driven by the offender;
- (7) the level of community notification assigned to the offender; and
- (8) conviction information for each offense for which the offender has been convicted including:
  - (a) the court in which he or she was convicted;
  - (b) the name under which he or she was convicted;
  - (c) the name and location of each penal institution, school, hospital, mental facility, or other institution to which he or she was committed;
  - (d) the specific location where the offense was committed;
  - (e) the age, gender, race, and general physical description of the victim; and
  - (f) the method of operation used to commit the offense including:
    - (i) specific sexual acts committed against the victim;
    - (ii) the method of obtaining access to the victim, such as the use of enticements, threats, forced entry, or violence;
    - (iii) the type of injuries inflicted upon the victim;
    - (iv) the types of instruments, weapons, or objects used;
    - (v) the type of property taken; and
    - (vi) any other distinctive characteristic of the behavior or personality of the offender.

*(Nev. Rev. Stat. § 179D.150)*

Sexually violent predators must also include a notation regarding whether he or she has previously received treatment for his or her mental or personality disorder.

*(Nev. Rev. Stat. § 179D.530)*

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

If an offender convicted of a sexual offense or crime against a child changes the address at which he resides or changes the primary address at which he or she works or goes to school, no later than 48 hours after making such change, he or she must provide the new address, in person, to the local law-enforcement agency in whose jurisdiction he or she formerly resided, worked, or attended school, and he or she must provide all other information that is relevant to update his or her record of registration, including any change in his or her name, occupation, employment, work, volunteer service, driver's license, or motor-vehicle license number or description.

*(Nev. Rev. Stat. § 179D.250(1); § 179D.470(1))*

**12. WHAT HAPPENS IF AN OFFENDER MOVES FROM NEVADA TO ANOTHER STATE?**

**A. Sexual Offenders**

A sexual offender who is incarcerated or confined and has previously been convicted of a sexual offense has a duty to register in any other jurisdiction during any period in which he or she is a resident of the other jurisdiction or a nonresident who goes to school or works in the other jurisdiction. The offender must register, in person, with the appropriate law-enforcement agency in the new jurisdiction within 48 hours of moving into the new jurisdiction. The offender must also notify the law-enforcement agency in Nevada with whom he previously registered, in person or in writing, of the change in address within 48 hours of making the change. Upon receiving

notification from local law enforcement in Nevada, the Central Repository will immediately provide notification concerning the offender to the appropriate local law-enforcement agency in whose jurisdiction the offender is now residing, working, or going to school.  
(*Nev. Rev. Stat. § 179D.450(3)(1)(II); §§ 179D.470(1), (2)(b)*)

## **B. Offenders Convicted of a Crime Against a Child**

An offender who is required to register in Nevada for having been convicted of a crime against a child has a duty to register in any other jurisdiction during any period in which he or she is a resident of the other jurisdiction or a nonresident who is a student or worker within the other jurisdiction. The offender must register, in person, with the appropriate law-enforcement agency in the new jurisdiction within 48 hours of moving into the new jurisdiction. The offender must also notify the law-enforcement agency in Nevada with whom he previously registered, in person or in writing, of the change in address within 48 hours of making the change. Upon receiving notification from local law enforcement in Nevada, the Central Repository will immediately provide notification concerning the offender to the appropriate local law-enforcement agency in whose jurisdiction the offender is now residing, working, or going to school.  
(*Nev. Rev. Stat. §§ 179D.230(2)(a)(1)(II)-(III); §§ 179D.250(1), (2)(b)*)

### **13. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO NEVADA REQUIRED TO REGISTER?**

An out-of-state offender must register within 48 hours of entering any county or city in Nevada.  
(*Nev. Rev. Stat. §§ 179D.240(1), (2); § 179D.460(1), (2)*)

### **14. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN NEVADA?**

If an offender who has been convicted of a sexual offense or a crime against a child is a nonresident student or worker within Nevada, he or she must register with the appropriate sheriff's office, metropolitan police department, or city police department in whose jurisdiction he or she is a student or worker no later than 48 hours after becoming a student or worker within Nevada.  
(*Nev. Rev. Stat. § 179D.240(4); § 179D.46(4)*)

### **15. IS REGISTRATION A LIFETIME REQUIREMENT?**

An offender who is convicted of a sexual offense or crime against a child must register for as long as he or she resides or is present in Nevada or is a nonresident offender who works or goes to school in Nevada; however, if an offender complies with registration requirements for at least 15 consecutive years during which he or she is not convicted of an offense that poses a threat to the safety or well-being of others, he or she may file a petition to terminate his or her duty to register with the district court in whose jurisdiction he or she resides or, if he or she is a nonresident offender, in whose jurisdiction he or she is a student or worker.  
(*Nev. Rev. Stat. §§ 179D.270(1), (2); §§ 179D.490(1), (2)*)

An offender who has been convicted of a sexual offense or crime against a child cannot file a petition to terminate his or her duty to register if he or she:

- (1) is subject to community notification or lifetime supervision as a sex offender;
- (2) has been declared a sexually violent predator; or

- (3) has been convicted of:
  - (a) one or more sexually violent offenses;
  - (b) two or more sexual offenses against persons under 18;
  - (c) two or more crimes against a child; or
  - (d) at least one sexual offense against a person under 18 and one crime against a child.

*(Nev. Rev. Stat. § 179D.270(5); § 179d.490(5))*

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

An offender who is convicted of a sexual offense or crime against a child and who:

- (1) fails to register with a local law-enforcement agency;
- (2) fails to notify the local law-enforcement agency of a change of address;
- (3) provides false or misleading information to the Central Repository or a local law-enforcement agency; or
- (4) otherwise violates the requirements of registration,

is guilty of a Category D felony and will be punished.

*(Nev. Rev. Stat. § 179D.290; § 179D.550)*

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

Community notification depends on the risk of recidivism of the offender.

*(Nev. Rev. Stat. § 179D.730(1))*

If the risk of recidivism is low, the offender must be assigned a Tier-1 level of notification. The law-enforcement agency in whose jurisdiction the offender resides or is a student or worker must notify other law-enforcement agencies that are likely to encounter the offender.

*(Nev. Rev. Stat. § 179D.730(1)(a))*

If the risk of recidivism is moderate, the offender must be assigned a Tier-2 level of notification. The law-enforcement agency in whose jurisdiction the offender resides or is a student or worker must notify other law-enforcement agencies, schools, and religious and youth organizations that are likely to encounter the offender.

*(Nev. Rev. Stat. § 179D.730(1)(b))*

If the risk of recidivism is high, the offender must be assigned a Tier-3 level of notification. The law-enforcement agency in whose jurisdiction the offender resides or is a student or worker must notify other law-enforcement agencies, schools, religious and youth organizations, and other members of the public that are likely to encounter the offender.

*(Nev. Rev. Stat. § 179D.730(1)(c))*

If the offender is assigned to Tier 2 or Tier 3 and he or she has committed a sexual offense against a person under 18, the law-enforcement agency in whose jurisdiction the sex offender resides or is a student or worker must also notify:

- (1) motion-picture theaters, other than adult, motion-picture theaters, that are likely to encounter the offender; and
- (2) businesses that are likely to encounter the offender and that primarily have children as customers or conduct events that children primarily attend.

*(Nev. Rev. Stat. § 179D.730(2))*

If the sex offender has been declared a sexually violent predator, he or she must be assigned to a Tier-3 level of notification.

*(Nev. Rev. Stat. § 179D.730(3))*

Notification guidelines and provisions are similar for adult and juvenile offenders alike.

*(Nev. Rev. Stat. § 179D.800)*

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

No.