

NEW HAMPSHIRE SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

New Hampshire State Police
Sex-Offender Registration
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NUMBER OF REGISTERED SEX OFFENDERS

2,600 as of January 30, 2003.

1. WHO IS REQUIRED TO REGISTER?

Sexual offenders and offenders against children must register.
(*N.H. Rev. Stat. Ann. § 651-B:2(I)*)

2. WHAT DOES “SEX OFFENDER” MEAN?

“Sexual offender” means a person who has been convicted of any violation or attempted violation of the following offenses:

- (1) aggravated felonious sexual assault;
- (2) felonious sexual assault;
- (3) sexual assault;
- (4) felony indecent exposure or lewdness; or
- (5) an equivalent offense in another jurisdiction.

(*N.H. Rev. Stat. Ann. § 651-B:1(III)*)

3. WHAT DOES “OFFENDER AGAINST CHILDREN” MEAN?

“Offender against children” means a person who has been convicted of any violation or attempted violation of:

- (1) any of the following offenses when the victim was under 18:
 - (a) kidnapping;
 - (b) criminal restraint;
 - (c) false imprisonment; or
 - (d) prostitution or related offenses;
- (2) intentional contribution to delinquency;
- (3) endangering the welfare of a minor or an incompetent;
- (4) child-pornography offenses;
- (5) certain prohibited uses of computer services;
- (6) obscenity involving a minor in the material deemed obscene; or
- (7) an equivalent offense in another jurisdiction.

(*N.H. Rev. Stat. Ann. § 651-B:1(V)*)

4. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

Please contact the Division of State Police or local law enforcement for information on juvenile offenders.

5. WHEN AND WHERE DOES AN OFFENDER REGISTER?

Every sexual offender or offender against children must be registered with the New Hampshire Department of Safety, Division of State Police.

(N.H. Rev. Stat. Ann. § 651-B:2(I))

Any offender who is required to be registered must report his or her current mailing address, place of residence or temporary domicile, and place of employment or schooling to the local law-enforcement agency within 30 days after his or her release from custody following conviction, or within 30 days after his or her date of establishment of residence in New Hampshire if convicted elsewhere.

(N.H. Rev. Stat. Ann. § 651-B:4(I)(a))

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

An offender who changes his or her address or place of residence must report the change within 30 days after it occurs to local law enforcement.

(N.H. Rev. Stat. Ann. § 651-B:4(I)(a))

When any offender who is required to be registered changes his or her residence, name, or alias, he or she must give written notification of his or her new address, name, or alias to the local law-enforcement agency to which he or she last reported within 10 days of such change of residence, name, or alias.

(N.H. Rev. Stat. Ann. § 651-B:5(I))

Any offender who, with or without compensation, is employed by or attends any public or private educational institution for a period exceeding 14 consecutive days, or for an aggregate period of time exceeding 30 days during any calendar year, must give written notification of any changes in his or her place of employment or schooling to the local law-enforcement agency to which he or she last reported within 10 days of making the change.

(N.H. Rev. Stat. Ann. § 651-B:5(III))

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

When an offender moves from New Hampshire to another state, he or she must give written notification of his or her new address to the local law-enforcement agency to which he or she last reported within 10 days of making the change. The local law-enforcement agency receiving such notice must forward a copy to the Division of State Police within three days after receipt. The division must then notify the appropriate out-of-state, law-enforcement agency of the offender's new address.

(N.H. Rev. Stat. Ann. §§ 651-B:5(I), (II))

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

An out-of-state offender must report his or her current mailing address, place of residence or temporary domicile, and place of employment or schooling to the local law-enforcement agency within 30 days after his or her date of establishment of residence in New Hampshire if convicted elsewhere.

(N.H. Rev. Stat. Ann. § 651-B:4(I)(a))

9. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN NEW HAMPSHIRE?

Any nonresident offender who enters New Hampshire for the purpose of employment, with or without compensation, or to attend any public or private educational institution for a period exceeding 14

consecutive days or for an aggregate period of time exceeding 30 days during any calendar year is required to report to the local law-enforcement agency having jurisdiction over his or her place of employment or school within 10 days of entering the state for employment or schooling, and additionally within 10 days after any change of place of employment or schooling.

(N.H. Rev. Stat. Ann. § 651-B:4(I)(b); § 651-B:5(II))

10. IS REGISTRATION A LIFETIME REQUIREMENT?

Any sexual offender convicted of a violation or attempted violation of any of the following offenses must be registered for a 10-year period from the date of release following his or her conviction:

- (1) sexual assault;
- (2) indecent exposure and lewdness; or
- (3) an equivalent offense in another jurisdiction.

(N.H. Rev. Stat. Ann. § 651-B:6(II))

Any offender against children convicted of a violation or attempted violation of any of the following offenses must be registered for a 10-year period from his or her date of release following his or her conviction:

- (1) false imprisonment;
- (2) prostitution and related offenses;
- (3) child pornography; or
- (4) an equivalent offense in another jurisdiction.

(N.H. Rev. Stat. Ann. § 651-B:6(II))

Any sexual offender convicted of a violation or attempted violation of any of the following offenses must be registered for life:

- (1) aggravated felonious sexual assault;
- (2) felonious sexual assault;
- (3) indecent exposure and lewdness; or
- (4) an equivalent offense in another jurisdiction.

(N.H. Rev. Stat. Ann. § 651-B:6(I))

Any offender against children convicted of a violation or attempted violation of any of the following offenses must be registered for life:

- (1) intentional contribution to delinquency;
- (2) kidnapping;
- (3) criminal restraint;
- (4) incest;
- (5) endangering the welfare of a minor or an incompetent;
- (6) prostitution and related offenses;
- (7) child pornography;
- (8) computer pornography;
- (9) obscene matter; or
- (10) an equivalent offense in another jurisdiction.

(N.H. Rev. Stat. Ann. § 651-B:6(I))

Any sexual offender or offender against children must be registered for life if he or she is convicted of more than one of the offenses listed below:

- (1) aggravated felonious sexual assault;
- (2) felonious sexual assault;
- (3) sexual assault;
- (4) indecent exposure and lewdness;

- (5) kidnapping;
- (6) criminal restraint;
- (7) false imprisonment;
- (8) incest;
- (9) prostitution and related offenses;
- (10) intentional contribution to delinquency;
- (11) endangering the welfare of a minor or an incompetent;
- (12) child pornography;
- (13) computer pornography;
- (14) obscene matter; or
- (15) an equivalent offense in another jurisdiction.

(N.H. Rev. Stat. Ann. § 651-B:6(III))

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

A sexual offender or offender against children who negligently fails to comply with registration requirements is guilty of a violation.

(N.H. Rev. Stat. Ann. § 651-B:9(I))

A sexual offender or offender against children who knowingly fails to comply with registration requirements is guilty of a misdemeanor.

(N.H. Rev. Stat. Ann. § 651-B:9(II))

A sexual offender or offender against children previously convicted of a misdemeanor who knowingly fails to comply with registration requirements is guilty of a Class B felony.

(N.H. Rev. Stat. Ann. § 651-B:9(III))

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

The Division of State Police maintains a list of all registered offenders who have been convicted of any violation or attempted violation of one of the following offenses, or of a state or federal offense reasonably equivalent to the following offenses:

- (1) certain instances of aggravated felonious sexual assault;
- (2) certain instances of felonious sexual assault;
- (3) felony indecent exposure and lewdness;
- (4) any of the following offenses when the victim was under 18:
 - (a) kidnapping;
 - (b) criminal restraint;
 - (c) false imprisonment; or
 - (d) prostitution or related offenses;
- (5) intentional contribution to delinquency;
- (6) endangering the welfare of a minor or an incompetent;
- (7) child-pornography offenses;
- (8) certain prohibited uses of computer services;
- (9) obscenity involving a minor in the material deemed obscene; or
- (10) an equivalent offense in another jurisdiction.

(N.H. Rev. Stat. Ann. § 651-B:7(II)(a))

The list maintained by the Division of State Police must include:

- (1) the name and address of the registered offender;
- (2) the offense for which the registered offender was convicted;
- (3) the date and court of the conviction for which the offender was registered; and

- (4) any outstanding warrants for any offender who has not complied with his or her registration obligations.

(N.H. Rev. Stat. Ann. § 651-B:7(II)(b)(1))

Where such information is available, the list may also include:

- (1) a photograph or physical description of the registered offender;
- (2) the date and court of the registered offender's other convictions, if any;
- (3) information on the profile of the victim(s) of the registered offender's offense(s); and
- (4) the method of approach used by the registered offender.

(N.H. Rev. Stat. Ann. § 651-B:7(II)(b)(2))

The list is made available to the public upon request to a local law-enforcement agency and through a web site operated by the Department of Safety.

(N.H. Rev. Stat. Ann. § 651-B:7(IV)(a))

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

The Department of Safety maintains a web site that includes:

- (1) a list of offenders against children; and
- (2) a warrant list for noncompliant offenders.

The lists are available at <http://www.state.nh.us/soupermail/secure/disclaimer.html>.

Information available on offenders against children includes the offender's:

- (1) name;
- (2) address;
- (3) court date; and
- (4) offense(s).

Information available on noncompliant offenders includes the offender's name and address.