

OKLAHOMA SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

Oklahoma Department of Corrections

3400 Martin Luther King Avenue

Oklahoma City, OK 73111-4219

Telephone: 405-425-2500

http://docapp8.doc.state.ok.us/servlet/page?_pageid=190&_dad=portal30&_schema=PORTAL30

NUMBER OF REGISTERED SEX OFFENDERS

4,671 as of March 25, 2003.

1. WHO IS REQUIRED TO REGISTER?

The provisions of the Oklahoma Sex Offenders Registration Act apply to any person residing, working, or attending school in Oklahoma who:

(1) after November 1, 1989:

- (a) has been convicted, whether upon a verdict, a plea of guilty, or a plea of *nolo contendere*, or received a suspended sentence or any probationary term for any of the following offenses, or an attempt to commit any of the following offenses:
 - (i) child abuse, if sexual abuse or sexual exploitation is involved;
 - (ii) kidnapping, if the offense included sexual abuse or sexual exploitation;
 - (iii) being a caretaker involved in sexual abuse or sexual exploitation;
 - (iv) incest;
 - (v) crimes against nature;
 - (vi) forcible sodomy;
 - (vii) indecent exposure;
 - (viii) indecent exhibitions;
 - (ix) involvement with obscene material or child pornography;
 - (x) soliciting a minor;
 - (xi) procuring a minor for participation in pornography;
 - (xii) consenting, as a guardian, parent, or custodian, to the participation of a minor in child pornography;
 - (xiii) facilitating, encouraging, offering, or soliciting sexual conduct with a minor or person believed to be a minor;
 - (xiv) procuring a minor under 18 for prostitution, lewdness, or other indecent acts;
 - (xv) inducing, keeping, detaining, or restraining a minor under 18 for purposes of prostitution;
 - (xvi) rape by instrumentation;
 - (xvii) rape in the first or second degree;
 - (xviii) lewd or indecent proposals or acts as to a minor under 16 or a person believed to be under 16; or
 - (xix) sexual battery; or
- (b) was convicted, or received a suspended sentence in any court of another state, a federal court, an Indian tribal court, or a military court for an offense or attempted offense that, if committed or attempted in Oklahoma, would constitute an offense or an attempt to commit an offense listed in (a) above; or

- (2) received a deferred judgment in any court of another state, federal court, an Indian tribal court, or military court for an offense or attempted offense that, if committed or attempted in Oklahoma, would be an offense or an attempt to commit an offense involving any offense listed in (1)(a) above.

(Okla. Stat. tit. 57, §§ 582(A)-(C))

Habitual and aggravated sex offenders are also required to register.

(Okla. Stat. tit. 57, §§ 584(H)(2)-(3))

2. WHO IS A “HABITUAL SEX OFFENDER”?

Any person who has been convicted of or received a suspended sentence or any probationary term, including a deferred sentence, for any offense requiring registration and who:

- (1) is subsequently convicted of an offense or an attempt to commit an offense requiring registration; or
- (2) enters Oklahoma after November 1, 1997, and who has been convicted of an additional offense or attempted offense which, if committed or attempted in Oklahoma, would be an offense or an attempted offense requiring registration,

will be subject to all of the normal registration requirements and will be designated by the Department of Corrections as a habitual sex offender.

(Okla. Stat. tit. 57, § 584(H)(1))

3. WHAT DOES “AGGRAVATED SEX OFFENDER” MEAN?

On or after November 1, 1999, any person who has been convicted of an offense or an attempted offense, received a suspended sentence or any probationary term, including a deferred sentence, for:

- (1) child sexual abuse;
- (2) child sexual exploitation;
- (3) being a parent or another person who enables the offenses listed in (1) and (2) above to happen;
- (4) incest;
- (5) forcible sodomy;
- (6) rape by instrumentation;
- (7) rape in the first or second degree;
- (8) lewd or indecent proposals or acts as to a minor under 16 or a person believed to be a minor under 16; or
- (9) sexual battery,

will be subject to all of the normal registration requirements and will be designated by the Department of Corrections as an aggravated sex offender.

(Okla. Stat. tit. 57, § 584(H)(2))

4. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

Please contact the Oklahoma Department of Corrections or local law enforcement for information on juvenile offenders.

5. WHEN AND WHERE DOES AN OFFENDER REGISTER?

Any person who becomes subject to the Sex Offender Registration Act on or after November 1, 1989, must be registered as follows:

- (1) with the Department of Corrections within three business days of being convicted or receiving a suspended sentence or any probationary term, including a deferred sentence,

- if he or she is not incarcerated, or within three business days of release from a correctional institution;
- (2) with the local law-enforcement authority having jurisdiction in the area where he or she resides or intends to reside for more than seven days, within three days after entering the jurisdiction of the law-enforcement authority; and
 - (3) with the Department of Corrections and the local law-enforcement authority no less than three business days prior to abandoning or moving from the address of the previous registration.

(Okla. Stat. tit. 57, § 583(A))

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

Registration with the Department of Corrections must include the following information about the offender:

- (1) name and all aliases used or under which he or she has been known;
- (2) complete description, including a photograph and fingerprints and occasionally a blood test for purposes of a deoxyribonucleic acid (DNA) profile;
- (3) offenses requiring registration;
- (4) name and location of each hospital or penal institution to which he or she was committed for each offense requiring registration; and
- (5) where he or she resides, how long he or she has resided there, how long he or she expects to reside there, and how long he or she expects to remain in the county and in Oklahoma.

(Okla. Stat. tit. 57, § 584(A))

Registration with the local law-enforcement authority must include the following information about the offender:

- (1) full name and any aliases used;
- (2) date of birth;
- (3) sex;
- (4) race;
- (5) height and weight;
- (6) eye color;
- (7) social-security number;
- (8) driver's license number;
- (9) home address; and
- (10) a description of the offense for which he or she was convicted, the date of conviction, and sentence imposed.

(Okla. Stat. tit. 57, § 584(C))

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

Any offender who is required to register and who changes his or her address must give written notification to the Department of Corrections and the local law-enforcement authority of the change of address and the new address no later than three business days prior to the abandonment of or move from the current address. If the new address is under the jurisdiction of a different local law-enforcement authority, the offender must notify the new local law-enforcement authority of any previous registration. The new local law-enforcement authority must notify the most recent registering agency by teletype or letter of the change in address of the offender.

(Okla. Stat. tit. 57, § 583(E)(2); § 584(D))

If an offender participates in any full- or part-time employment at any school, with or without compensation, or participates in any vocational course or occupation at any school in Oklahoma, he or she has a duty to notify the Department of Corrections and the local law-enforcement authority in writing of such employment or participation at least three days before commencing or upon terminating such employment or participation.

(Okla. Stat. tit. 57, § 583(E)(7))

If an offender graduates, transfers, drops, terminates, or otherwise changes enrollment or employment at any school in Oklahoma, he or she must notify the Department of Corrections and the local law-enforcement authority, in writing, of such change in enrollment or employment within three days of the change.

(Okla. Stat. tit. 57, § 583(E)(8))

8. WHAT HAPPENS IF AN OFFENDER MOVES FROM OKLAHOMA TO ANOTHER STATE?

Any offender who is required to register and who changes his or her address to another state must give written notification to the Department of Corrections and the local law-enforcement authority of the change of address and the new address no later than three business days prior to the abandonment of or move from the current address. If the new address is in another state, the Department of Corrections must promptly notify the agency responsible for registration in that state of the new address of the offender.

(Okla. Stat. tit. 57, § 584(D))

If an offender participates in any full- or part-time employment in another state, with or without compensation, for more than 14 days or a total period exceeding 30 days in a year, he or she has a duty to register as a sex offender in that state.

(Okla. Stat. tit. 57, § 583(E)(4))

If an offender enrolls in any type of school in another state as a full- or part-time student, he or she has a duty to register as a sex offender in that state.

(Okla. Stat. tit. 57, § 583(E)(5))

9. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO OKLAHOMA REQUIRED TO REGISTER?

Any person who has been convicted of an offense or received a deferred judgment for an offense on or after November 1, 1989, in another jurisdiction, that, if committed or attempted in Oklahoma, would have been an offense requiring registration, and who enters Oklahoma, must be registered as follows:

- (1) with the Department of Corrections when he or she enters and intends to be in Oklahoma for any purpose for 30 days or longer, within 3 days after entering Oklahoma;
- (2) with the local law-enforcement authority having jurisdiction in the area where he or she intends to live or stay for more than seven days, within three days after entering the jurisdiction of the law-enforcement authority; and
- (3) with the Department of Corrections and the local law-enforcement authority no less than three business days prior to abandoning or moving from the address of the previous registration.

(Okla. Stat. tit. 57, § 583(B))

10. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN OKLAHOMA?

Any person who has been convicted of an offense or received a deferred judgment for an offense on or after November 1, 1989, in another jurisdiction, that, if committed or attempted in Oklahoma, would have been an offense requiring registration, and who enters Oklahoma, must be registered as follows:

- (1) with the Department of Corrections when he or she maintains any type of full- or part-time employment, with or without compensation for more than 14 days or a total period exceeding 30 days within a year, or is enrolled as a full- or part-time student in Oklahoma, within 3 days after entering Oklahoma;
- (2) with the local law-enforcement authority having jurisdiction in the area where he or she has any type of full- or part-time employment, with or without compensation for more than 14 days or a total period exceeding 30 days within a year, or is enrolled as a full- or part-time student in Oklahoma, within 3 days after entering the jurisdiction of the law-enforcement authority; and
- (3) with the Department of Corrections and the local law-enforcement authority no less than three business days prior to abandoning or moving from the address of the previous registration.

(Okla. Stat. tit. 57, § 583(B))

11. IS REGISTRATION A LIFETIME REQUIREMENT?

Except for habitual or aggravated sex offenders, an offender is required to register for a period of 10 years.

(Okla. Stat. tit. 57, § 583(C))

Habitual and aggravated sex offenders are required to register for life.

(Okla. Stat. tit. 57, §§ 584(H)(1)-(2))

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

Any offender who is required to register and who violates any provision of Oklahoma's Sex Offender Registration Act will, upon conviction, be guilty of a felony. Any offender convicted of a violation will be punished by incarceration in a correctional facility for no more than five years, a fine not to exceed \$5,000, or both such fine and imprisonment.

(Okla. Stat. tit. 57, § 587)

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

The Department of Corrections maintains a file of all sex-offender registrations. A copy of the registration information is available to state, county, and municipal law-enforcement agencies and the National Sex Offender Registry maintained by the Federal Bureau of Investigation (FBI). The department is required to promptly provide all municipal police departments and county sheriff departments with a list of sex offenders registered and living in their county. Such files must be made available for public inspection or copying and may be made available through Internet access.

(Okla. Stat. tit. 57, § 584(E))

Each local law-enforcement agency must make its sex-offender registry available upon request, without restriction.

(Okla. Stat. tit. 57, § 584(F))

Upon registration of any person designated a habitual or aggravated sex offender, a local law-enforcement authority must notify, by any method of communication it deems appropriate, anyone that the local law-enforcement authority determines appropriate, including:

- (1) the family of the habitual or aggravated sex offender;
- (2) any prior victim of the habitual or aggravated sex offender; and
- (3) residential neighbors and churches, community parks, schools, convenience stores, businesses, and other places frequented by children or other potential victims.

(Okla. Stat. tit. 57, § 584(H)(3))

Notification regarding habitual and aggravated sex offenders may include the following information:

- (1) the name and physical address of the habitual or aggravated sex offender;
- (2) a physical description of the habitual or aggravated sex offender, including:
 - (a) age;
 - (b) height and weight; and
 - (c) hair and eye color;
- (3) a description of the vehicle that the habitual or aggravated sex offender is known to drive;
- (4) any conditions or restrictions upon the probation, parole, or conditional release of the habitual or aggravated sex offender;
- (5) a description of the primary and secondary targets of the habitual or aggravated sex offender;
- (6) a description of the method of offense of the habitual or aggravated sex offender;
- (7) a current photograph of the habitual or aggravated sex offender; and
- (8) the name and telephone number of the probation or parole officer of the habitual or aggravated sex offender.

(Okla. Stat. tit. 57, § 584(H)(4))

The local law-enforcement authority must make the notification regarding a habitual or aggravated sex offender available to any person upon request.

(Okla. Stat. tit. 57, § 584(H)(5))

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

The online Oklahoma Sex-Offender Registry provides public information on registered aggravated and habitual sex offenders. The web site can be searched by first or last name, address, city, state, zip code, county, appearance, and offense. The registry is available at http://docapp8.doc.state.ok.us/servlet/page?_pageid=190&_dad=portal30&_schema=PORTAL30.