

RHODE ISLAND SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

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NUMBER OF REGISTERED SEX OFFENDERS

1,501 as of April 2, 2003.

1. WHO IS REQUIRED TO REGISTER?

Any person who, either in Rhode Island or elsewhere, has been:

- (1) convicted of a criminal offense against a victim who is a minor or a sexually violent offense;
- (2) has been determined to be a sexually violent predator;
- (3) has committed an aggravated offense; or
- (4) is a recidivist,

is required to register.

(R.I. Gen. Laws § 11-37.1-3(a))

2. WHAT DOES “CRIMINAL OFFENSE AGAINST A VICTIM WHO IS A MINOR” MEAN?

“Criminal offense against a victim who is a minor” means any of the following offenses or any offense in another jurisdiction that is substantially the equivalent of the following or for which the person is or would be required to register under federal law:

- (1) kidnapping or false imprisonment of a minor, if the victim of the offense is 16 or older but under 18;
- (2) third-degree sexual assault;
- (3) assault with the intent to commit first-degree sexual assault;
- (4) first- or second-degree child molestation sexual assault;
- (5) exploitation for commercial or immoral purposes; and
- (6) murder, if the offense was committed during the perpetration or attempted perpetration of a kidnapping of a victim under 18.

(R.I. Gen. Laws § 11-37.1-2(e))

3. WHAT DOES “SEXUALLY VIOLENT PREDATOR” MEAN?

“Sexually violent predator” means a person who has been convicted of a sexually violent offense and who has a mental abnormality or personality disorder that makes him or her likely to engage in predatory sexually violent offenses.

(R.I. Gen. Laws § 11-37.1-2(l))

4. WHAT DOES “SEXUALLY VIOLENT OFFENSE” MEAN?

“Sexually violent offense” means:

- (1) third-degree sexual assault;
- (2) assault with the intent to commit first-degree sexual assault;

- (3) first- or second-degree child molestation sexual assault;
- (4) first- or second-degree sexual assault;
- (5) assault with the intent to commit sexual assault;
- (6) murder committed in perpetration or attempted perpetration of rape, sexual assault, or child molestation; or
- (7) any offense in another jurisdiction that is substantially equivalent to an offense listed in (1) through (6) above or for which the offender is or would be required to register under federal law.

(R.I. Gen. Laws § 11-37.1-2(k))

5. WHAT DOES “AGGRAVATED OFFENSE” MEAN?

“Aggravated offense” means an offense involving sexual penetration of a victim of any age using force or the threat of force, or an offense involving sexual penetration of a victim who is 14 or under.

(R.I. Gen. Laws § 11-37.1-2(a))

6. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

A juvenile who is required to register and who is a sexually violent predator, who has one or more prior convictions for an offense requiring registration, or who has been convicted of an aggravated offense must register.

(R.I. Gen. Laws § 11-37.1-4(j))

If a juvenile is adjudicated delinquent, the court must assess the totality of the circumstances of the offense. If the court determines that the conduct is criminal only because of the victim’s age, the court has discretion to order the juvenile to register as a sex offender, so long as the court determines it is appropriate to protect the community and to rehabilitate the juvenile.

(R.I. Gen. Laws § 11-37.1-4(j))

7. WHEN AND WHERE DOES AN OFFENDER REGISTER?

An offender who is required to register must do so in person at the local law-enforcement agency in the city or town in which he or she intends to live within 24 hours of his or her release.

(R.I. Gen. Laws § 11-37.1-3(a); § 11-37.1-4(e))

An offender who is required to register and who is convicted in Rhode Island but is not sentenced to a term of imprisonment or confinement must register in person at the local law-enforcement agency in the area in which he or she intends to reside within 24 hours of being sentenced.

(R.I. Gen. Laws § 11-37.1-4(f))

A juvenile who is required to register and who is a sexually violent predator, who has one or more prior convictions for an offense requiring registration, or who has been convicted of an aggravated offense must register in person with the local law-enforcement agency having jurisdiction over the city or town in which he or she resides.

(R.I. Gen. Laws § 11-37.1-4(j))

An offender who is required to register and who is enrolled, employed, or carrying on a vocation at an institution of higher education must also register his or her current address with the local law-enforcement agency in the city or town where the primary campus of the institution of higher education is located.

(R.I. Gen. Laws § 11-37.1-3(c))

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

Information required for initial registration includes:

- (1) the offender's:
 - (a) name;
 - (b) identifying factors;
 - (c) anticipated future residence; and
 - (d) juvenile- and adult-offense history; and
- (2) documentation of any treatment received for the mental abnormality or personality disorder of the person.

(R.I. Gen. Laws § 11-37.1-5(c))

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

If an offender who is required to register changes residence to another city or town within Rhode Island, the local law-enforcement agency having jurisdiction where he or she resides must notify the law-enforcement agency with which he or she must register in the new city or town as well as the state designated law-enforcement agency. The offender must notify the local law-enforcement agency in the city where he or she is moving from before he or she establishes his or her new residence. The offender must also register with the law-enforcement agency in the new location no later than 10 days after the address change.

(R.I. Gen. Laws § 11-37.1-5(b)(2); §§ 11-37.1-9(c)-(d))

10. WHAT HAPPENS IF AN OFFENDER MOVES FROM RHODE ISLAND TO ANOTHER STATE?

If an offender changes residence to another state, he or she must register the new address with the law-enforcement agency with whom he or she last registered and must register with a designated law-enforcement agency in the new state no later than 10 days after establishing residence, if the new state has a registration requirement.

(R.I. Gen. Laws § 11-37.1-5(b)(3))

If an offender who is required to register changes residence to another state, the local law-enforcement agency having jurisdiction where he or she resides must notify the law-enforcement agency in the new state with which the offender must register and the designated state law-enforcement agency. The offender must register the new address with a designated state law-enforcement agency in the new state no later than 10 days after he or she establishes his or her new residence.

(R.I. Gen. Laws § 11-37.1-9(a)-(b))

If an offender works or attends school in another state, he or she must register his or her employment or school address as required by the other state.

(R.I. Gen. Laws § 11-37.1-5(b)(4))

11. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO RHODE ISLAND REQUIRED TO REGISTER?

An offender who moves to Rhode Island from another state and who is required to register must do so in person at the local law-enforcement agency in the city or town in which he or she intends to live within 48 hours upon arriving.

(R.I. Gen. Laws § 11-37.1-4(g))

12. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN RHODE ISLAND?

A nonresident worker who committed an offense requiring registration in the state of his or her residence and who is employed or performs a vocation in Rhode Island is required to register both his or her current address and the address of his or her work with the local law-enforcement agency having jurisdiction over the area in which he or she works.

(R.I. Gen. Laws § 11-37.1-3(b)(1); § 11-37.1-4(d))

A nonresident student who has committed an offense subject to registration in the state of his or her residence and who attends an educational institution in Rhode Island is required to register both his or her current address and the address of his or her school with the local law-enforcement agency having jurisdiction over the area in which he or she attends school.

(R.I. Gen. Laws § 11-37.1-3(b)(2); § 11-37.1-4(d))

Nonresident workers or students who are required to register must do so in person at the local law-enforcement agency in the area in which he or she is employed or attending school within 48 hours of the first day at work or school.

(R.I. Gen. Laws § 11-37.1-4(h))

13. IS REGISTRATION A LIFETIME REQUIREMENT?

An offender who is required to register must do so for 10 years following his or her date of release from incarceration, parole, supervised release, or probation.

(R.I. Gen. Laws § 11-37.1-4(a))

A sexually violent predator must register for his or her lifetime following the date of his release from prison, placement on parole, supervised release, or probation.

(R.I. Gen. Laws § 11-37.1-4(b))

An offender who has one or more prior convictions for the following offenses or who is convicted of an aggravated offense must register for his or her lifetime following the date of his release from confinement, placement on parole, supervised release, or probation:

- (1) kidnapping or false imprisonment of a minor, if the victim of the offense is 16 or older but under 18;
- (2) third-degree sexual assault;
- (3) assault with the intent to commit first-degree sexual assault;
- (4) first- or second-degree child molestation sexual assault;
- (5) exploitation for commercial or immoral purposes;
- (6) murder, if the offense was committed in the perpetration or attempted perpetration of kidnapping and if the victim of the kidnapping is under 18;
- (7) first- or second-degree sexual assault;
- (8) assault with the intent to commit sexual assault;
- (9) murder committed in perpetration or attempted perpetration of rape, sexual assault, or child molestation; or
- (10) any offense in another jurisdiction that is substantially the equivalent of any offense listed in (1) through (9) above or for which the offender is or would be required to register under federal law.

(R.I. Gen. Laws § 11-37.1-4(c))

A juvenile who is required to register and who is a sexually violent predator, who has one or more prior convictions for an offense requiring registration, or who has been convicted of an aggravated offense

must register for 15 years following the date of release from confinement, placement in the community, or probation.

(R.I. Gen. Laws § 11-37.1-4(j))

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

An offender who is required to register or verify his or her address and who knowingly fails to do so is guilty of a felony and upon conviction he or she will be imprisoned no more than two years, fined no more than \$2,000, or both imprisoned and fined.

(R.I. Gen. Laws § 11-37.1-10(a))

An offender who is required to register or verify his or her address and who knowingly fails to do so is in violation of the terms of his or her release, regardless of whether or not the term was a special condition of his or her release on probation, parole, home confinement, or other form of supervised release.

(R.I. Gen. Laws § 11-37.1-10(b))

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

For the most part, no registration information will be released or transferred without the written consent of the registered offender or his or her authorized representative; however, no consent for release or transfer of registration information is required in the following instances:

- (1) information may be disclosed to law-enforcement agencies for law-enforcement purposes;
- (2) information may be disclosed to government agencies conducting confidential background checks; and
- (3) designated law-enforcement agencies and local law-enforcement agencies authorized by the state may release relevant information that is necessary to protect persons concerning a specific registered offender.

(R.I. Gen. Laws §§ 11-37.1-11(a)-(b))

Any local law-enforcement agency must release relevant information to any campus-police agency or police for private institutions for any registered offender who is enrolled in, employed by, or carrying on a vocation at an institution of higher education. That agency may release relevant information that is necessary to protect persons concerning a specific registered offender.

(R.I. Gen. Laws § 11-37.1-11(c))

If risk of reoffense is low, law-enforcement agencies likely to encounter the registered offender are notified.

(R.I. Gen. Laws § 11-37.1-12(2)(i))

If risk of reoffense is moderate, law-enforcement agencies and organizations in the community including schools and religious and youth organizations likely to encounter the registered offender are notified, provided the notice is given only to those schools or organizations that are actually in charge of or in control of women or children and that are likely to encounter the person registered.

(R.I. Gen. Laws § 11-37.1-12(2)(ii))

If risk of reoffense is high, law-enforcement agencies, organizations in the community including schools and religious and youth organizations, and the members of the public likely to encounter the registered offender are notified.

(R.I. Gen. Laws § 11-37.1-12(2)(iii))

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

No.