WYOMING DEPARTMENT OF CORRECTIONS

Policy and Procedure #1.501

Sex Offender Registration

Authority: Wyoming Statute(s): 7-19-301 – 307; 25-1-104; 25-1-105. ACA Standard(s): None Noted	**Effective Date:** June 1, 2016 **Revision/Review History:** 03/30/15, 03/01/14, 03/01/13, 12/12/11 **Summary of Revision/Review:** Updates existing policy pursuant to annual review.
Cross Reference of Policy:	**Supersedes Existing Policy :**
Approved: R.O. Lampert — 5-25-16 Robert O. Lampert, Director — Date	

APPROVED FOR INMATE DISTRIBUTION

REFERENCE

1. **ATTACHMENTS – None Noted**

2. **OTHER**

   A. Wyoming Division of Criminal Investigation, *Wyoming Sex Offender Registration Form*

I. PURPOSE

A. Registration of Sex Offenders. The purpose of this policy and procedure is to provide guidelines for the verification and registration of sex offenders and necessary notifications to law enforcement of the transfer or release of an offender under the custody or supervision of the Wyoming Department of Corrections (WDOC) pursuant to Article 3 of the Wyoming Sex Offender Registration Act.

II. POLICY

A. Ensuring Registration. It is the policy of the WDOC to comply with duties imposed on the Department pursuant to the Wyoming Sex Offender Registration Act, to ensure that law enforcement agencies are notified when a sex offender will be released into their community, and to ensure that sex offenders who are released to the community are registered with the sheriff of the county in which he/she resides, attends school, or is employed.

III. DEFINITIONS

A. Convicted: (*For this policy only.*) Includes pleas of guilty, nolo contendere, and verdicts of guilty upon which a judgment of conviction may be rendered and adjudications as a delinquent for offenses specified in W.S. § 7-19-302 (j). It does not include dispositions pursuant to W.S. § 7-13-301.

B. Criminal Offense Against a Minor: Means the offenses specified herein in which the victim is less than eighteen (18) years of age. Criminal offense against a minor includes an offense committed in another jurisdiction, including a federal court or courts martial, which, if committed in this state, would constitute a "criminal offense against a minor" as defined herein. "Criminal offense against a minor" includes:

1. Kidnapping under W.S. § 6-2-201;

2. Felonious Restraint under W.S. 6-2-202;

3. False Imprisonment under W.S. 6-2-203;

4. Offenses under W.S. § 6-4-101 through 6-4-103 in which a minor is the object of the sexual act or proposed sexual act;

5. Producing obscene material under W.S. § 6-4-302 if the offense involves the use of a minor in a sexual performance;

6. Soliciting sexual conduct under W.S. § 6-2-318;

7. Sexual exploitation of a child under W.S. § 6-4-303; or

8. An attempt to commit any of the offenses described in this definition.

9. Human Trafficking under W.S. 6-2-702 or 6-2-703 or sexual servitude under W.S. 6-2-705 and 6-2-706.

C. **Offender:** (*For this policy only.*) A person convicted of a criminal offense specified in W.S. 7-19-302(g) through (j), 6-2-702, 6-2-703, 6-2-705 or 6-2-706 or convicted of a criminal offense from Wyoming or any other jurisdiction containing the same or similar elements, or arising out of the same or similar facts or circumstances, as a criminal offense specified in W.S. 7-19-302(g) through (j), 6-2-702, 6-2-703, 6-2-705 or 6-2-706.

D. **Reside:** (*Including words of similar import.*) The physical address of each residence of an offender, including all real property owned by the offender that is used by the offender for the purpose of shelter or other activities of daily living; any physical address where the offender habitually visits; and temporary residences such as hotels, motels, public or private housing, camping areas, parks, public buildings, streets, roads, highway, restaurants, libraries or other places the offender may frequent and use for shelter or other activities of daily living.

E. **Residence:** (*For this policy only.*) A dwelling place with an established physical address or identifiable physical location intended for human habitation.

IV. PROCEDURE

A. **Requirement to Register**. In accordance with Article 3 of the Wyoming Sex Offender Registration Act, any offender residing within the State or entering the State for the purpose of residing, attending school, or being employed within the State who has been convicted of a criminal offense as specified in W.S. § 7-19-302(g) through (j) shall register with the Division of Criminal Investigation (DCI) through the local Sheriff's Office.

B. **Registration Requirements at Intake**

1. If the inmate's conviction upon intake is a Wyoming sex offense and the conviction subjects the inmate to registration; the inmate shall be

photographed and fingerprinted and WDOC shall transmit the following to DCI via the central registration system:

i. Name, including any aliases ever used;

ii. Date and place of birth;

iii. Social security number;

iv. Date and place of conviction;

v. Current sex crime for which convicted; and

vi. Current physical description or photographs of the offender's marks, scars, and tattoos.

C. Registration Requirements Prior to Release From Incarceration

1. Inmates incarcerated in a WDOC facility who are required to register per W.S. § 7-19-302 shall register prior to release from custody. Authorized staff from the facility where the inmate is residing immediately prior to release (including release to an Adult Community Correctional Facility) shall register the offender and perform the duties specified in W.S. § 7-19-305.

i. Registration shall include notification to the offender of the requirements of the registry act. Notification shall be in the manner of the *Wyoming Sex Offender Registration Form*, with a copy to the offender, the sheriff in the county where the inmate will be residing, and the Department's records.

ii. If the inmate refuses to register or refuses to provide the required information, WDOC staff shall so notify local law enforcement before releasing the inmate.

iii. In response to a significant event (*i.e.* death or escape of the registered inmate) the necessary staff shall ensure that all systems and information are up to date.

2. As part of the registration process prior to discharge from the facility, the inmate shall be photographed, fingerprinted, and palm printed. The following inmate information shall be collected and updated and reported to DCI:

i. Name, including any aliases ever used;

ii. Address and anticipated future residence;

iii. Date and place of birth;

iv. Social security number;

v. Place and physical address of employment;

vi. Date and place of conviction;

vii. Crime for which convicted;

viii. The name and physical address of each educational institution in this state at which the person is employed or attending school;

ix. The license plate number and a description of any vehicle owned or operated by the inmate;

x. A DNA sample (as used in this paragraph, "DNA" means as defined in W.S. § 7-19-401(a)(vi));

xi. The age of each victim;

xii. Internet identifiers, including each email address and other designations used by the offender for self-identification or routing in internet communications or postings. (as used in this paragraph, "Internet" means as defined in W.S. § 9-2-1035(a)(iii)); and

xiii. Any phone number at which the offender may be reached or which may be used on a frequent basis by the offender to place telephone calls.

3. In addition to the information identified above, WDOC shall transmit the following to DCI within three (3) working days of registry for entry into the central registration system:

i. Name of the offender;

ii. Identifying features, to include but not limited to: photographs of the offender's marks, scars, and tattoos;

iii. Anticipated future residence;

iv. Offense history; and

v. Documentation of any treatment received, including prescribed psychotropic medication history, for any psychiatric condition of the offender.

D. Registration of Probationers. Probationers are expected to comply with registration requirements as outlined in W.S. §7-19-302.

1. Any offender who resides in the State of Wyoming or is moving into the State of Wyoming from another state and has been convicted of or pled Nolo Contendre to a qualifying sex offense, is required to register as a sex offender. Reference can be made to the Wyoming Sex Offender Registry System (WySORS) web site at ***http://wysors.dci.wyo.gov/.***

2. The offender is required to register at the Sheriff's Office of the county in which they live or have moved to. They must do so within three (3) working days of their arrival to the State, or county, or upon their conviction to the sex offense. The three (3) working days does not include Saturday, Sunday or legal holidays.

3. Any time there is a change of status such as residency, employment or vehicle description, the offender must update their registration with the Sheriff's Office within three (3) working days.

4. The supervising agent should follow-up with their counties sheriff's office to confirm the offender has indeed registered. If the offenders' registration web page is not showing accurate information and it has been verified that offender has registered or updated their registration, the supervising agent should contact the WySORS office in Cheyenne to determine if a problem exists.

5. On interstate compact transfer cases, the offender should be directed to the sheriff's office within three (3) working days to register as a sex offender. If the offenders' registration web page is not showing accurate information and it has been verified that offender has registered or updated their registration, the supervising agent should contact the WySORS office in Cheyenne to determine if a problem exists.

6. Those offenders who do not have their court documentation to verify the statutes still must register within three (3) working days. DCI will pull the documents from the out of state court and send it for legal review. If the offender does not have a further duty to register in Wyoming, DCI will send the offender a letter notifying them of such.

E. **Criminal Offenses Against Minors.** Offenders who commit a criminal offense against a minor are required to verify the accuracy of their address with the local sheriff's office as required by statute. Offenders on probation and parole shall be required to comply with such statutory reporting requirements.

V. TRAINING POINTS

A. When must an inmate register as a sex offender and what steps should occur if the inmate refuses to provide the required information?

B. Name four (4) items of information required as part of the registration process.

C. What responsibility do field agents have with offenders subject to registration coming from out of state?