

 <p>DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS</p> <p><b>POLICY AND PROCEDURE</b></p>	<b>EFFECTIVE DATE:</b>	August 17, 2018	<b>Page 1 of 7</b>	
	<b>SUPERSEDES:</b>	4350.1F December 19, 2016		
	<b>OPI:</b>	PROGRAMS		
	<b>REVIEW DATE:</b>	August 17, 2019		
	<b>Approving Authority</b>	Quincy L. Booth Director		
	<b>SUBJECT:</b>	SEX OFFENDER REGISTRATION		
	<b>NUMBER:</b>	4350.1G		
<b>Attachments:</b>	Attachments 1-3			

**SUMMARY OF CHANGES:**

Section	Change
	<i>Major changes have been made throughout the entire policy.</i>

**APPROVED:**



**Quincy L. Booth, Director**

**8/17/2018**

**Date Signed**

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1. **PURPOSE AND SCOPE.** The D.C. Department of Corrections (DOC) hereby establishes guidelines for informing sex offenders in its custody or under its supervision, or immediately before the transfer of a sex offender to a halfway house, whichever is earlier, of their duty to register with the Court Services and Offender Supervision Agency (CSOSA) DOC also establishes guidelines for notifying CSOSA and the Federal Bureau of Prisons (FBOP) of the sex offender's proposed release, and shall provide to CSOSA such records and information as will assist in carrying out its responsibilities.
  
2. **PROGRAM OBJECTIVES.** The expected results of this program are:
  - a. Immediately before the release into the community of a sex offender in its custody or under its supervision, or immediately before the transfer of a sex offender to a halfway house, whichever is earlier, the Department of Corrections shall notify CSOSA of the sex offender's proposed release, and shall provide to CSOSA such records and information as will assist CSOSA in carrying out its responsibilities.
  
  - b. Immediately before the release into the community of a sex offender in its custody or under its supervision, or immediately before a sex offender transfers to a halfway house, whichever is earlier, the Department of Corrections shall inform the sex offender orally and in writing (Sex Offender Notification Form, Attachment 1) of the duty to register and of the time when and place where he or she is to appear to register and shall require the sex offender to read and sign the notice.
  
3. **NOTICE OF NON-DISCRIMINATION**
  - a. In accordance with the D.C. Human Rights Act of 1977, as amended, D.C. Official Code § 2-1401.1 et seq., (act) the District of Columbia does not discriminate on the basis of race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, or place of residence or business. Sexual harassment in the form of sex discrimination is also prohibited by the act. Discrimination in violation of the act will not be tolerated. Violators will be subject to disciplinary action.

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#### 4. Directives Affected

- a. Directives Rescinded
  - 1) 4350.1F                      Sex Offender Registration (12/19/2016)
- b. Directives Referenced
  - 1) PP 1270.1F                  Victim Information and Notification Everyday (VINE)

#### 5. AUTHORITY

- a. D.C. Code, Sex Offender Registration Act (“SORA”) §§ 22-4001. Definitions; DC code § 22-4003. Certification duties of the Superior Court; §22-4005. Duties of the Department of Corrections; § 22-4007. Registration functions of the Court Services and Offender Supervision Agency; §22-4011. Community notification and education duties of the Metropolitan Police Department; § 22-4014. Duties of sex offenders; 22-4015. Penalties, mandatory release condition
- b. District of Columbia Municipal Regulations, Sex Offender Registration §§ 6-A406. Registration Duties of Sex Offenders;
- c. 34 U.S.C §20927, Sex Offender Registration and Notification, Failure of jurisdiction to comply
- d. 28 C.F.R. 811.3, Sex Offender Registration, Notice of Obligation To Register; 28 C.F.R. 811.7 Initial Registration

#### 6. STANDARDS REFERENCED. None

#### 7. DEFINITIONS

- a. **Sex Offender.** Means a person who lives, resides, works, or attends school in the District of Columbia, and who:
  - 1. Committed a registration offense on or after July 11, 2000;
  - 2. Committed a registration offense at any time and is in custody or under supervision on or after July 11, 2000;

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3. Was required to register under the law of the District of Columbia on the day before July 11, 2000; or
  4. Committed a registration offense at any time in another jurisdiction and, within the registration period, enters the District of Columbia to live, reside, work or attend school.
- b. In custody or under supervision. Means detained, incarcerated, confined, hospitalized, on work release,
  - c. Registration Period. Means the period of time a sex offender must be register.

**8. CERTIFICATION OF SEX OFFENDER AND NOTICE ORDER.** When an inmate is sentenced and the court orders the inmate to register as a sex offender, the court issues a Certification of Sex Offender and Notice Order with Judgment and Commitment (J&C) Order. The DOC Inmate Records Office shall contact the Court immediately when the Certification of Sex Offender and Notice Order is not provided with the Judgment and Commitment Order to obtain a copy.

**9. SEX OFFENDER IDENTIFICATION AND DOCUMENTATION**

- a. Upon entry into DOC custody, all inmates are photographed and fingerprinted.
- b. After notification, from the court or other source, that an inmate has been certified as a sex offender, the Inmate Records Office is responsible for the following:
  - 1) Identifying and documenting each offender.
  - 2) Inmate Records Office will notify Case Management electronically when a certified sex offender is admitted to the DOC or when an inmate becomes certified as a sex offender through the courts.
  - 3) Once the certified sex offender has been identified and Case Management has been notified by the Inmate Records Office, the Chief Case Manager shall do the following:
    - a) The sex offender is advised both orally and in writing (Attachment 1) of his or her obligation to register as a sex offender with CSOSA within three (3) days of release;

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- b) The sex offender is informed of the penalties for failure to register (Attachment 1) ;
- c) The inmate completes the Sex Offender Notification Form (Attachment 1) and the Sex Offender Registration Information Form (Attachment 2) in their entirety and signs the forms.
  - 1. The Sex Offender Registration Information Form (**Attachment 2**) includes
    - a. the sex offender's name,
    - b. DCDC#,
    - c. aliases,
    - d. pdid#,
    - e. nicknames,,
    - f. drivers license state and number,
    - g. passport country and number,
    - h. date of birth (actual and purported),
    - i. social security number,
    - j. sex,
    - k. race,
    - l. hair color,
    - m. height,
    - n. weight,
    - o. eye color,
    - p. identifying marks/tattoos
    - q. release address,
    - r. release telephone number,
    - s. release contact and relationship,
    - t. current or expected employer name and address,
    - u. current or expected school name and address,
    - v. email address.
    - w. internet handles or nicknames.
    - x. professional licenses
    - y. cell and landline phone numbers,
    - z. vehicle make, model and registration.
  - d) If the inmate refuses to complete or sign the forms, the case manager will complete the forms and indicate that the inmate refused to sign on the form.

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- c. The completed Sex Offender and Sex Offender Notification Form (Attachment 1) is scanned into the electronic file (PaperClip).
- d. Hard copies of the completed Sex Offender Registration Information Form (Attachment 2) and the Sex Offender Notification Form are placed in a sealed envelope with the inmates name and DCDC number on the front of the envelope and forwarded to the Inmate Records Office to be placed in the inmate's institutional record.
- e. When the Federal Bureau of Prisons (FBOP) requires a sex offender in DOC custody to complete the FBOP Sex Offender Registration Form, (Attachment 3) Case Management shall have the inmate complete the FBOP form, and return the completed form to the FBOP. The FBOP Sex Offender Registration Form should be placed in the sealed envelope with the Sex Offender and Sex Offender Notification Forms.
- f. Prior to release from DOC custody, each certified sex offender shall receive a copy of his or her completed Sex Offender Registration Information and Sex Offender Notification Forms (and FBOP Sex Offender Registration Form if applicable) which are in the sealed envelope in the inmate's institutional record as a reminder informing them that they must register as a sex offender with CSOSA within three (3) days of release.

**10. NOTICE TO CSOSA.** Once the certified sex offender is notified and completes Attachment 1 and 2, the Chief Case Manager will confirm that a copy of all offender notification forms to and the inmate's photograph are forwarded to CSOSA.

## **11. SEX OFFENDER RESPONSIBILITY**

- a. During the Registration Period, a sex offender shall:
  - 1) Register with CSOSA as a sex offender;
  - 2) Provide any information required for registration, and cooperate in photographing and fingerprinting;
  - 3) Report any change of residence or other change in registration information;
  - 4) Periodically verify address and such other registration information as the Agency may specify, including complying with any requirement to return

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address verification forms or appear in person for the purpose of verification;

- 5) Report if the sex offender is moving to another state, or works or attends school in another state, and register in any such state;
- 6) Acknowledge receipt of information concerning the sex offender's duties under this chapter, including reading and signing a form or forms stating that these duties have been explained to the sex offender; and
- 7) Meet with responsible officers and officials for the purpose of carrying out any requirements adopted by the Agency under this chapter.

## 12. PENALTIES

- a. Any sex offender who knowingly violates any registering requirements shall be fined not more than \$1,000 or imprisoned for not more than 180 days, or both. In the event that a sex offender convicted for failing to register has a prior conviction for failing to register or a prior conviction in any other jurisdiction for failing to comply with the requirements of a sex offender registration program, the sex offender shall be fined not more than \$12,500, or imprisoned not more than 5 years, or both.
- b. Compliance with the requirements of this chapter, including any requirements adopted by the Agency pursuant to this chapter, shall be a mandatory condition of probation, parole, supervised release, and conditional release of any sex offender.

### Attachments

Attachment 1- Sex Offender Notification Form

Attachment 2- Sex Offender Registration Information

Attachment 3- FBOP Sex Offender Registration and Treatment Notification Form



## SEX OFFENDER NOTIFICATION FORM

I, \_\_\_\_\_, DCDC Number, \_\_\_\_\_, have been advised of my obligation under the District of Columbia Sex Offender Act, (D.C. Code § 22-4001, et seq., (hereinafter “the Act”)), to report within three (3) days to:

The Court Services and Offender Supervision Agency (CSOSA)  
300 Indiana Avenue, NW, Room 2070  
Washington, D.C. 20002  
Monday-Friday (8am-5pm)  
202-585-7377

I understand that I must report to CSOSA within three (3) days of my release and register as a sex offender. I must provide required information to CSOSA to fulfill the requirements of the Act, and maintain current information in the sex offender registry throughout my registration period.

### **PENALTIES:**

**If I violate the Act, I am subject to be fined not more than one thousand dollars (\$1,000), or imprisoned for not more than one hundred eighty ( 180) days, or both. If I am convicted of violating the Act more than once, I may be fined not more than twelve thousand five hundred dollars (\$12,500) , or imprisoned not more than five (5)years, or both.**

**Failure to comply with the above requirements may also be the basis for revocation of parole or probation.**

### **INMATE RESPONSIBILITIES**

During the registration period, a sex offender shall, in the time and manner specified by the Agency:

- (1) Register with the Agency as a sex offender;
- (2) Provide any information required for registration, and cooperate in photographing and fingerprinting;
- (3) Report any change of residence or other change in registration information;
- (4) Periodically verify address and such other registration information as the Agency may specify, including complying with any requirement to return address verification forms or appear in person for the purpose of verification;
- (5) Report if the sex offender is moving to another state, or works or attends school in another state, and register in any such state;
- (6) Acknowledge receipt of information concerning the sex offender’s duties under this chapter, including reading and signing a form or forms stating that these duties have been explained to





the sex offender; and

- (7) Meet with responsible officers and officials for the purpose of carrying out any requirements adopted by CSOSA

I have read and understand my obligation to report pursuant to the Act.

\_\_\_\_\_  
Inmate Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Printed Name and Title

Distribution of Copies: Inmate Record  
Sex Offender Registration Package  
Inmate



## SEX OFFENDER REGISTRATION INFORMATION

Name: \_\_\_\_\_ DCDC#: \_\_\_\_\_

Aliases: \_\_\_\_\_ PDID#: \_\_\_\_\_

Nickname(s): \_\_\_\_\_

Drivers License Information (state and #): \_\_\_\_\_

Passport Information (country and number): \_\_\_\_\_

DOB(actual): \_\_\_\_\_ DOB(purported): \_\_\_\_\_

SSN(actual): \_\_\_\_\_ SSN(purported): \_\_\_\_\_

Sex: \_\_\_\_\_ Race: \_\_\_\_\_ Hair Color: \_\_\_\_\_

Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Identifying Marks/Tattoos: \_\_\_\_\_

\_\_\_\_\_

Release Address \_\_\_\_\_

\_\_\_\_\_

Release Telephone Number: \_\_\_\_\_

Release Contact & Relationship: \_\_\_\_\_

Employer Name & Address (current or expected): \_\_\_\_\_

\_\_\_\_\_

School Name & Address (current or expected): \_\_\_\_\_

\_\_\_\_\_

Email Addresses: \_\_\_\_\_

Internet Handles/Nicknames: \_\_\_\_\_

Professional Licenses and Numbers: \_\_\_\_\_

Telephone Numbers (cell): \_\_\_\_\_

Telephone Numbers (landline): \_\_\_\_\_

Vehicle Information (make, model, registration, license plate, of all land vehicles, watercraft, and aircraft owned or operated by the registrant):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Inmate Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Print Witness Name and Title

Attachments: Photograph  
Copy of Fingerprint Card  
Sex Offender Notification Form (signed)

BP-A0648  
JUL 14

**SEX OFFENDER REGISTRATION AND TREATMENT NOTIFICATION**

*(Page #1-must be accompanied with pages #2-4)*

**U.S. DEPARTMENT OF JUSTICE**

**FEDERAL BUREAU OF PRISONS**

**A. FINAL PROGRAM REVIEW**

You are subject to registration as a sex offender in any state in which you reside, are employed, carry on a vocation, or are a student.

Your duties pursuant to Title 42 U.S.C. §§ 16913 - 16916 are detailed in Part C of this form.

Institution	
Inmate Name	Register No.
____ Current conviction of sexual offense	
____ Prior conviction of sexual offense	
I have been informed that, pursuant to 18 U.S.C. § 2250, failure to register as required is a federal offense, punishable by fine or up to ten years imprisonment.	
Inmate Signature	Date
Staff Signature	Date

(Page #2 - must be stapled behind Page #1)

**B. NOTIFICATION OF COMMUNITY TREATMENT PROGRAMS**

In accordance with the provisions of Title 42 U.S.C. § 13943, the Federal Bureau of Prisons is required to notify inmates convicted of sex offenses of available community treatment programs, prior to their release.

We have identified the following treatment program(s), at or near your district of release, which may be of assistance to you. We strongly encourage you to contact these programs, or another program that your United States Probation Officer (Parole or Supervision Office for D.C. Offenders) may recommend while you are under supervision.

Treatment Agency/Source
Address
Telephone
Other Pertinent Information

Treatment Agency/Source
Address
Telephone
Other Pertinent Information

Inmate's Name and Signature	Reg. No.	Date
Unit Manager's or Residential Reentry Manager's Name and Signature		Date

CC: Chief United States Probation Officer,  
 District of Supervision (if applicable)  
 Court Services and Offender Supervision Agency

## SECTION 5

FILE IN SECTION 5 UNLESS APPROPRIATE FOR PRIVACY FOLDER

### C. INMATE RESPONSIBILITIES

Your duties pursuant to Title 42 U.S.C. §§ 16913 - 16916 require the following:

#### 42 U.S.C. § 16913 - REGISTRY REQUIREMENTS FOR SEX OFFENDERS.

(a) IN GENERAL.--A sex offender shall register, and keep the registration current, in each jurisdiction where the offender resides, where the offender is an employee, and where the offender is a student. For initial registration purposes only, a sex offender shall also register in the jurisdiction in which convicted if such jurisdiction is different from the jurisdiction of residence.

(b) INITIAL REGISTRATION.--The sex offender shall initially register--

(1) before completing a sentence of imprisonment with respect to the offense giving rise to the registration requirement; or

(2) not later than 3 business days after being sentenced for that offense, if the sex offender is not sentenced to a term of imprisonment.

(c) KEEPING THE REGISTRATION CURRENT.--A sex offender shall, not later than 3 business days after each change of name, residence, employment, or student status, appear in person in at least 1 jurisdiction involved pursuant to subsection (a) and inform that jurisdiction of all changes in the information required for that offender in the sex offender registry. That jurisdiction shall immediately provide that information to all other jurisdictions in which the offender is required to register.

(d) INITIAL REGISTRATION OF SEX OFFENDERS UNABLE TO COMPLY WITH SUBSECTION (b).--The Attorney General shall have the authority to specify the applicability of the requirements of this title to sex offenders convicted before the enactment of this Act or its implementation in a particular jurisdiction, and to prescribe rules for the registration of any such sex offenders and for other categories of sex offenders who are unable to comply with subsection (b).

(e) STATE PENALTY FOR FAILURE TO COMPLY.--Each jurisdiction, other than a Federally recognized Indian tribe, shall provide a criminal penalty that includes a maximum term of imprisonment that is greater than 1 year for the failure of a sex offender to comply with the requirements of this title.

#### 42 U.S.C. § 16914 - INFORMATION REQUIRED IN REGISTRATION.

(a) PROVIDED BY THE OFFENDER.--The sex offender shall provide the following information to the appropriate official for inclusion in the sex offender registry:

(1) The name of the sex offender (including any alias used by the individual).

(2) The Social Security number of the sex offender.

(3) The address of each residence at which the sex offender resides or will reside.

(4) The name and address of any place where the sex offender is an employee or will be an employee.

(5) The name and address of any place where the sex offender is a student or will be a student.

(6) The license plate number and a description of any vehicle owned or operated by the sex offender.

(7) Any other information required by the Attorney General such as Internet identifiers, Internet addresses, and telephone numbers.

(b) PROVIDED BY THE JURISDICTION.--The jurisdiction in which the sex offender registers shall ensure that the following information is included in the registry for that sex offender:

(1) A physical description of the sex offender.

(2) The text of the provision of law defining the criminal offense for which the sex offender is registered.

(3) The criminal history of the sex offender, including the date of all arrests and convictions; the status of parole, probation, or supervised release; registration status; and the existence of any outstanding arrest warrants for the sex offender.

(4) A current photograph of the sex offender.

(5) A set of fingerprints and palm prints of the sex offender.

(6) A DNA sample of the sex offender.

(7) A photocopy of a valid driver's license or identification card issued to the sex offender by a jurisdiction.

(8) Any other information required by the Attorney General.

#### 42 U.S.C. § 16915 - DURATION OF REGISTRATION REQUIREMENT.

(a) FULL REGISTRATION PERIOD.--A sex offender shall keep the registration current for the full registration period (excluding any time the sex offender is in custody or civilly committed) unless the offender is allowed a reduction under subsection (b). The full registration period is--

(1) 15 years, if the offender is a tier I sex offender;

(2) 25 years, if the offender is a tier II sex offender; and

(3) the life of the offender, if the offender is a tier III sex offender.

(b) REDUCED PERIOD FOR CLEAN RECORD.--

(1) CLEAN RECORD.--The full registration period shall be reduced as described in paragraph (3) for a sex offender who maintains a clean record

for the period described in paragraph (2) by--

(Page #4 - must be stapled behind Page #3)

(A) not being convicted of any offense for which imprisonment for more than 1 year may be imposed;

(B) not being convicted of any sex offense;

(C) successfully completing any periods of supervised release, probation, and parole; and

(D) successfully completing of an appropriate sex offender treatment program certified by a jurisdiction or by the Attorney General.

(2) PERIOD.--In the case of--

(A) a tier I sex offender, the period during which the clean record shall be maintained is 10 years; and

(B) a tier III sex offender adjudicated delinquent for the offense which required registration in a sex registry under this title, the period during which the clean record shall be maintained is 25 years.

(3) REDUCTION.--In the case of--

(A) a tier I sex offender, the reduction is 5 years;

(B) a tier III sex offender adjudicated delinquent, the reduction is from life to that period for which the clean record under paragraph (2) is maintained.

**42 U.S.C. § 16916 - PERIODIC IN PERSON VERIFICATION.**

A sex offender shall appear in person, allow the jurisdiction to take a current photograph, and verify the information in each registry in which that offender is required to be registered not less frequently than--

(1) each year, if the offender is a tier I sex offender;

(2) every 6 months, if the offender is a tier II sex offender; and

(3) every 3 months, if the offender is a tier III sex offender.