

Sexual Offender Registration

Index Code: 1807

Effective Date: 02/01/06 (Revised 10/27/16)

I. Purpose

The purpose of this directive is to establish procedures for registering those sexual offenders required to do so by law, and notifying specific agencies that a sexual offender has registered and is residing in Queen Anne's County.

II. Policy

It is the policy of the Queen Anne's County Sheriff's Office to comply with all aspects of the Maryland Criminal Procedure Article, §§ 11-701 through 11-721, Annotated Code of Maryland, as it pertains to child sexual offenders and individuals who commit certain sexual offenses in general.

III. Summary of Maryland Law

Individuals convicted by a court of law of a sexual offense must register. The term and category of registration depends on the crime of conviction, the age of the victim and the date that the offense was committed.

"Convicted" means when the person:

(1) Is found guilty of a crime by a jury or judicial officer;

(2) Enters a plea of guilty or nolo contendere;

(3) Is granted a probation before judgment after a finding of guilt for a crime if the court, as a condition of probation, orders compliance with the requirements of this subtitle; or

(4) Is found not criminally responsible for a crime.

IV. Definitions

A. Child Sexual Offenders

1 Retroactive Application of the New Laws Beginning October 1, 2010

2 Anyone required to register under Maryland law as of September 30, 2010 is subject to continued registration under Maryland's new law.

3 Anyone who is currently under the custody or supervision of a supervising authority on October 1, 2010 and has an unregistered sex offense conviction is subject to registration under Maryland's new law.

4 Anyone who is convicted of a new crime on or after October 1, 2010 and has an unregistered sex offense conviction is subject to registration under Maryland's new law.

NOTE: "Under the custody or supervision of a supervising authority" means the offender was: incarcerated in a county detention center or Division of Correction facility; under the supervision of the Division of Parole and Probation; or was under the direct supervision of the Court.

Tier I - These registrants have been convicted in Maryland of a crime listed below or convicted in another jurisdiction of a Tier I offense. These registrants register for 15 years. (every 6 months)

1. 4th Degree Sex Offense - Criminal Law Article, § 3-308 or Art. 27 § 464C

2. Visual Surveillance with Prurient Intent - Criminal Law Article, § 3-902 or Art. 27 § 579B

3. Possession of Child Pornography - Criminal Law Article, § 11-208 or Art. 27 § 419B

4. Engaging in Illicit Conduct in Foreign Places - 18 USC § 2423(c)

5. Failure to File Factual Statement About an Alien Individual - 18 USC § 2424

6. Misleading Domain Names on the Internet - 18 USC § 2252B

7. Misleading Words or Digital Images on the Internet - 18 USC § 2252C

8. Sex Trafficking by Force, Fraud or Coercion - 18 USC § 1591

9. Transmitting Information About a Minor to Further Criminal Sexual Conduct - USC § 2425

10. Travel w/Intent to Engage in Illicit Conduct - 18 USC § 2423(b)

11. Tier II - These registrants have been convicted in Maryland of a crime listed below or convicted in