



Successful Youth • Strong Leaders • Safer Communities

## POLICY

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**SUBJECT: Sex Offender Registry**

**NUMBER: CS-105-14**

**APPLICABLE TO: Community Services Employees**

**APPROVED:** \_\_\_\_\_ /signature on original/

**Sam Abed, Secretary**

**DATE:** \_\_\_\_\_ 11/5/14

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**I. POLICY**

The Department of Juvenile Services shall ensure the proper registration of all youth who have been adjudicated for certain sexual offenses and who must, therefore, comply with the Maryland Code and regulations relating to registration as a sex offender.

**II. AUTHORITY**

- A. Md. Code, Criminal Procedure, §11-701, *et. seq.*, (particularly §11-704 and §11-704.1).
- B. Md. Code, Criminal Law Article, §§3-303-308.

**III. DIRECTIVES/POLICIES RESCINDED**

Sex Offender Registry, CS-05-11

**IV. FAILURE TO COMPLY**

Failure to comply with the Department's Policy and Procedures shall be grounds for disciplinary action up to and including termination of employment.

**V. STANDARD OPERATING PROCEDURES**

Standard operating procedures have been developed.

**VI. REVISION HISTORY**

DESCRIPTION OF REVISION	DATE OF REVISION
Revised policy issued. Procedures and forms for registering a youth were revised: <ul style="list-style-type: none"> <li>• New form entitled <i>Notification of Inclusion in Non-Public Registry of Juvenile Sex Offenders</i> replaces old form entitled <i>Juvenile Sex Offender Requirements form</i>; the Requirements Form will no longer be used when registering a juvenile sex offender;</li> <li>• No longer required to collect and deliver a sample of the youth's DNA to SORU/DPSCS; and</li> <li>• Youth's failure to comply with registration requirements now shall result in notification to the court and all parties involved; no longer required to notify the Department's Office of the Attorney General.</li> </ul> Policy was reformatted. Revised policy renumbered to reflect current year revisions.	11/5/14
New Policy issued.	12/18/11
Non-public Registry email address updated.	6/16/16

## STANDARD OPERATING PROCEDURES

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**SUBJECT: Sex Offender Registry**

**NUMBER: CS-105-14**

**APPLICABLE TO: Community Services Employees**

**APPROVED:** \_\_\_\_\_/signature on original/

**Linda McWilliams, Deputy Secretary**

**DATE:** \_\_\_\_\_6/16/16

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### **I. PURPOSE**

To ensure the proper registration of all youth who by virtue of an order of the court or adjudication for a certain sex offense must register as a sex offender with the Sexual Offender Registry Unit (SORU) of the Maryland Department of Public Safety and Correctional Services (DPSCS).

### **II. DEFINITIONS**

*Adjudication:* The proceeding to determine if the facts in a petition support a finding of delinquency.

*Non-Public Registry:* The database maintained and operated by the SORU/DPSCS that contains all youth adjudicated of certain sex offenses, if the juvenile was a minor who was at least 14 years old at the time the delinquent act was committed. Youth information in this database is only distributed upon request to law enforcement, and is maintained only so long as the juvenile court retains jurisdiction over the youth.

*Public Registry:* The database maintained and operated by the SORU/DPSCS that contains all adult sex offenders and any juvenile sex offenders ordered by the juvenile court to register upon the termination of the court's jurisdiction, if the juvenile was at least 13 years old at the time the delinquent act was committed. Placement on this registry is for a period of not more than five (5) years. Information in this database is generally available to the public.

### III. PROCEDURES

#### A. Required Actions Relative to the Non-Public Registry:

1. When a youth is adjudicated delinquent for an offense that requires his or her placement on the Non-Public Registry (see Appendix 1 for qualifying offenses), the DJS Community Case Management Specialist shall, no later than ten (10) business days from that adjudication, complete the following tasks:
  - a. provide a *Notification of Inclusion in Non-Public Registry of Juvenile Sex Offenders* (Appendix 3) to the youth and family and have them sign the same;
  - b. complete the *Juvenile Sex Offender Non-Public Registration Form* (Appendix 4) and place the original in the youth's file;
  - c. take a digital photo of the youth and upload the picture to ASSIST;
  - d. electronically send the completed Form and the digital photo (in JPEG format) to SORU/DPSCS at [soru.registration@maryland.gov](mailto:soru.registration@maryland.gov);
  - e. ensure the youth completes fingerprint cards at designated local law enforcement sites that support the sex offender registry; and
  - f. ensure all Interstate Compact "Receiving" cases are placed on the registry if the cases are accompanied by a sending state's registry order and if the youth qualifies per his or her adjudicated offense to be placed on the Non-Public Registry.
2. Every three (3) months after the date of adjudication, the Department shall ensure that the juvenile registrant appears in person at an appropriate location to update and verify the registration information provided by DJS to SORU/DPSCS, as well as to allow DJS to take a new digital image of the youth. The Department shall immediately provide any new information and the updated digital photo to SORU/DPSCS at [soru.registration@maryland.gov](mailto:soru.registration@maryland.gov). The Department shall also store the new information in the youth's file and upload the photo to ASSIST.
  - a. Should a youth fail to cooperate and, therefore, fail to comply with his or her registration obligations, the Department shall advise the Court and the parties to the juvenile proceeding in writing.
3. If the Department receives notice that the registrant has changed his or her address, the county in which he or she habitually lives, his or her vehicle or license plate information, his or her electronic mail or Internet identifier(s), or his or her landline or cellular phone number(s), the Department shall electronically notify the SORU/DPSCS of that change at [soru.registration@maryland.gov](mailto:soru.registration@maryland.gov) within one (1) business day of receiving the notice of the change or update. The Department shall document any change in the registrant's status in the youth's ASSIST folder notes.

4. If the Department receives notice that a registrant has escaped or is Absent Without Leave (AWOL) from any juvenile court-ordered placement or supervision, the Department shall notify the SORU/DPSCS and local law enforcement (as indicated in the DJS Incident Reporting Policy) of the escape or AWOL status within twenty-four (24) hours of receiving notice, in addition to requesting the appropriate writ or warrant.
5. If the registrant has been approved to leave the State for more than five (5) calendar days, the Department shall notify the SORU/DPSCS prior to the youth's departure, as well as follow any applicable rules and regulations of the Interstate Compact on Juveniles. The Department shall provide SORU/DPSCS with the name of the adult who will be supervising the youth; the address where the youth will be staying; the phone number or other contact information where the youth will be staying; and the reason why the youth is leaving the State.
6. When the juvenile court's jurisdiction over a youth-registrant terminates, the Department shall notify the SORU/DPSCS to advise it that the juvenile must be removed from the Non-Public Registry. The Department's notification shall include a copy of any documentation reflecting the termination of jurisdiction.

B. Required Actions Relative to the Public Registry:

1. If the Department determines that the youth should be considered for registration on the Public Registry (see Appendix 2 for qualifying offenses), the Department shall request a review hearing for that purpose.
2. The Department shall request that the review hearing take place no later than ninety (90) calendar days from the anticipated termination of the juvenile court's jurisdiction over the youth.
3. When recommending that a youth be considered for registration on the Public Registry, the Department shall consider the following with respect to the youth:
  - a. Current clinical recommendations;
  - b. Treatment history (including utilization and prognosis); and
  - c. Sex offense history.
4. Once a request to register is filed with the juvenile court, the Department shall:
  - a. provide the court with any information necessary for it to make the registration determination; and
  - b. conduct any follow-up the court may require.

5. If the juvenile court determines that the youth shall be placed on the Public Registry, the Department within one (1) business day, shall notify:
  - a. the SORU/DPSCS of the juvenile court's order;
  - b. the youth of his or her need to complete all Public Registry requirements within three (3) business days after the juvenile court's jurisdiction terminates; and
  - c. notify local law enforcement of the youth's requirement to register on the Public Registry within three (3) business days of the termination of juvenile court jurisdiction.

**IV. RESPONSIBILITY**

Regional Directors are responsible for implementation and compliance with this procedure.

**V. INTERPRETATION**

All exceptions and changes to these procedures must be approved by the Deputy Secretary for Operations.

**VI. LOCAL OPERATING PROCEDURES REQUIRED**

No

**VII. DIRECTIVES/POLICIES REFERENCED**

No policies referenced.

**APPENDICES**

1. Non-Public Juvenile Registry Qualifying Offenses
2. Public Juvenile Registry Qualifying Offenses
3. Notification of Inclusion in Non-Public Registry of Juvenile Sex Offenders
4. Juvenile Sex Offender Non-Public Registration Form



# **DJS POLICY AND STANDARD OPERATING PROCEDURES**

## **Statement of Receipt and Acknowledgment of Review**

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**SUBJECT: Sex Offender Registry**  
**NUMBER: CS-105-14**  
**APPLICABLE TO: Community Services Employees**  
**DATE: REVISED 6/16/16**

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I have received and reviewed a copy (electronic or paper) of the above titled policy and procedures.

I understand that failure to sign this acknowledgment form within five working days of receipt of the policy shall be grounds for disciplinary action up to and including termination of employment.

I understand that I will be held accountable for implementing this policy even if I fail to sign this acknowledgment form.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
PRINTED NAME

\_\_\_\_\_  
DATE

***SEND THE ORIGINAL, SIGNED COPY TO VERNELL JAMES IN THE DJS OFFICE OF HUMAN RESOURCES FOR PLACMENT IN YOUR PERSONNEL FILE.***