

Sex Offender Registry

Backgrounder

I. Sex Offenders Registration Act Overview

The Michigan Sex Offender Registry (SOR) is a database containing the names, addresses, and listed offense information of all persons in Michigan convicted of certain sexual offenses. The complete SOR is only available for law enforcement purposes.

The SOR was established in 1994 by the Michigan Sex Offenders Registration Act (Public Acts 286, 287, 294 and 355 of 1994). The Act created the SOR database in response to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (42 USC 14071 et seq.) of 1994. This federal act required states to establish specific requirements for persons convicted of certain crimes against minors and those convicted of sexually violent offenses.

The Michigan SOR Act established the Michigan Department of State Police (MSP) as the keeper of the registry and the repository for SOR data. As such, the department works closely with the legislature to ensure any changes made to the Sex Offender Registration Act comply with federal requirements.

In addition, MSP posts, like other law enforcement agencies, serve as locations where sex offenders can verify and/or change their addresses. MSP enforcement personnel also participate in sex offender enforcement initiatives and arrest non-compliant sex offenders.

For a complete summary of SOR legislation, please visit the [MSP Web site](#).

A. Registry Requirements

The SOR Act requires all sex offenders in Michigan to register their address with law enforcement after conviction, prior to sentencing. Offenders remain on the registry for 25 years or life, depending on the conviction. Offenders released from prison must remain on the registry for a minimum of 10 years or the duration of their registration, whichever is longer.

After registering, offenders convicted of a felony-listed offense must report to a law enforcement agency (a city/township police department, county sheriff or MSP post) to verify their address during the first 15 days of January, April, July, and October. Offenders convicted of a misdemeanor-listed offense must report to a law enforcement agency to verify their address during the first 15 days of January each year. Incarcerated offenders and offenders who accurately report they no longer reside in Michigan are not subject to verification requirements.

Failing to verify an address carries a graduated penalty ranging from a 93-day misdemeanor to a four-year felony. The penalty for failing to change an address is a felony.

B. Michigan Sex Offenders Registration Act Violations

Individuals not in compliance with the SOR Act are offenders who:

- Fail to register
- Fail to change their address when they move or vacate a residence
- Fail to verify their address either annually or quarterly
- Fail to pay the \$35 one-time registration fee
- Fail to update campus information
- Fail to maintain a valid Michigan driver's license or personal identification card
- Reside, work, or loiter within 1,000 feet of a school

The SOR Act allows an arrest warrant to be authorized by a prosecutor for a non-compliant offender. After a warrant is entered into the Law Enforcement Information Network, the non-compliant offender can be apprehended during a traffic stop or any other contact with law enforcement. In addition, law enforcement agencies conduct periodic sex offender sweeps during which offenders' addresses are confirmed, and non-compliant offenders are actively sought.

Law enforcement relies on the public to help identify non-compliant offenders as well. Citizens are encouraged to contact their local law enforcement agency if they think someone is in violation of the SOR Act.

II. Public Sex Offender Registry

Similar to the SOR, the Public Sex Offender Registry (PSOR) provides the names, addresses, and listed offense information of persons living in Michigan convicted of certain sexual offenses after Oct. 1, 1995, or under the supervision of the Michigan Department of Corrections for a listed offense on Oct. 1, 1995. When first established in 1996, the PSOR was only accessible to the public by visiting a local law enforcement agency to view a paper copy of the list. In 1999, as a result of Public Act 85, the PSOR became available online at <http://www.mipsor.state.mi.us/>. The current site allows the public to view information on registered sex offenders using searches by approximate age and/or name, zip code, city, county, and university.

Under the SOR Act, certain offenders are exempt from being listed on the PSOR, even though they remain on the SOR. These offenders include all juveniles and offenders who have successfully completed the probation process outlined in Public Act 240 of 2004. Any juvenile convicted of criminal sexual conduct first or second degree is listed on the PSOR following his/her 18th birthday.

In addition, those individuals who are deceased are removed from the PSOR following the submission of a death certificate.

A. Offender Photographs

Public Act 238 of 2004 requires the PSOR to include the photograph of each individual registered under the SOR Act. To fulfill this requirement, PA 238 allows the MSP to obtain photographs from the Michigan Secretary of State. Offenders without a photograph either do not have a Michigan driver's license or state identification card, or the Secretary of State records do not match the information in the PSOR.

III. Sex Offender Registry Statistics

Statistics are updated quarterly following the mandated verification periods.

As of January 25, 2010:

- 45,546 registered sex offenders are in the SOR database
 - 13,528 offenders are incarcerated
 - 27,085 offenders must verify their address either yearly or quarterly
- 43,030 offenders appear on the Public Sex Offender Registry

Following the January 2010 verification period:

- 40,896 offenders were in compliance
- 4,650 offenders failed to comply

Note: Statistical comparisons among states are often inaccurate because each state has different requirements for who is required to register and how statistics are reported.

IV. Additional Information and Resources

- National Sex Offender Registry: <http://www.nsopr.gov/>
- Other state Sex Offender Registries: <http://www.fbi.gov/hq/cid/cac/registry.htm>
- The Center for Sex Offender Management: <http://www.csom.org/>