



Sex Offender Registry and Compliance

Effective 4/3/2020

POLICY

It is the policy of the Douglas County Sheriff's Office (DCSO) to enforce the Nebraska Sex Offender Registration Act (NSS §29-4001 - §29-4014) in accordance with applicable state statutes and local ordinances.

DEFINITIONS

Aliases: A false name that is used to try to conceal someone's identity.

Habitual Living Location: Any place that an offender may stay for a period of more than three days even though the offender maintains a separate permanent address or temporary domicile (NSS §29-4001.01).

Temporary Domicile: Any place at which a person actually lives or stays for a period of at least three working days (NSS §29-4001.01).

Transient Status: Status of a person who is required to register under the act who no longer has a residence, temporary domicile, or habitual living location (NSS §29-4004(9)).

PROCEDURE

I. Sex Offender Registration

- A. In accordance with Nebraska State Statute §29-4001, all persons convicted of any registerable sex offense as listed in NSS §29-4003 or who are on probation or parole for any such offenses, are required to register with the County Sheriff where they reside within three (3) working days of becoming subject to the Sex Offender Registration Act.
1. Registration requirements include any person who moves to Nebraska from a jurisdiction outside of Nebraska who has been convicted of any sex offenses and is on probation or parole, as well as any person required to register as a Sex Offender in another jurisdiction (NSS §29-4003).
 2. All persons in the process of appealing their conviction are required to comply with the Act during the appeals process (NSS §29-4003).
 3. Penalties for violations of the Sex Offender Registry Act can be found in NSS §29-4011).
- B. Persons residing in Douglas County who are required to register under the Sex Offender Registration Act are required to report the following changes to the DCSO at the Law Enforcement Center or at 1616 Leavenworth Street:
1. Legal name changes within three working days after the change (NSS §29-4006(11)).
 2. Changes in address, temporary domicile, or habitual living location within three working days before moving (NSS §29-4004(2) and NSS §29-4007).

- a. If the Offender is moving out of Douglas County, the assigned CID investigator will notify the Community Notification Division of the Nebraska State Patrol to ensure that the applicable jurisdictions are notified (NSS §29-4004(3)).
 - b. Offenders that are subject to the Sex Offender Registry Act who move into Douglas County are required to register with the DCSO within three working days after the address change (NSS §29-4004(3)).
 3. Persons who no longer have a residence, temporary domicile, or habitual living location must report the change within three working days after the change and must update their registration information at least once every thirty calendar days (NSS §29-4004(9) and NSS §29-4007).
 4. If a Sex Offender is being held at a correctional facility for more than three days, the Offender must notify the DCSO within three working days of being incarcerated of their incarceration and the expected release date (NSS §29-4004(8)). This process may be automated by the correctional facility.
 5. Offenders who are employed, carry on a vocation, or attend a school must notify the DCSO within three working days of beginning or within three working days of any changes to such employment, vocation, or school attendance. (NSS §29-4004(5)).
 - a. This includes individuals who do not reside within the State but who work or attend school within the State and are subject to the Sex Offender Registration Act.
 6. Offenders who will be traveling outside of the United States will notify the DCSO who will in turn notify the US Marshals Service.
 7. Offenders will notify the DCSO of any changes to their phone number, Driver's License, and travel/immigration documents and provide current copies of documents to the DCSO.
 8. Offenders will notify the DCSO of any changes to vehicles owned/operated by the Offender including a description, the license plate number, and its regular storage location (NSS §29-4006(1))
- C. The frequency of required Sex Offender reporting will be as follows: (NSS §29-4006)
1. Offenders who are required to register for fifteen years must verify their information annually in the month of their birth.
 2. Offenders required to register for twenty-five years must verify their information every six months, counted from the month of their birth.
 3. Offenders required to register for life must verify their information every three months, counted from the month of their birth.
- D. Offenders must report to the DCSO during their verification month even if they were subject to a compliance check during the same month.

- E. If a Sex Offender is being held at a medical facility, the DCSO must receive documentation from the medical facility confirming the whereabouts of the Offender.
 - 1. If the Offender is incapacitated and unable to ensure the submission of the documentation, the DCSO will obtain the documentation upon the location of the Offender.
- F. The DCSO is required to update all information received in the Sex Offender registry on the day in which it is received (NSS §29-4004(10)).

II. Sex Offender Compliance

- A. The Criminal Investigations Division (CID) is responsible for monitoring Sex Offender registration compliance for Douglas County via the state-wide registration database.
 - 1. The database flags Sex Offenders who are known to be out of compliance with registration requirements.
 - 2. CID may conduct Sex Offender compliance checks as needed.
- B. The DCSO maintains a tip line (SexOffenderTips@douglascounty-ne.gov) through which the public and outside agencies may provide the DCSO with information regarding Sex Offenders.
- C. If it is suspected that a Sex Offender may be out of compliance with registration requirements a locate may be issued.
 - 1. Deputies who detain a Sex Offender with an active locate may detain the Offender for a reasonable amount of time based on the totality of the circumstances to obtain the Offender's current information and/or to contact the issuing Deputy to gain more information about the purpose of the locate.
 - 2. The locate alone does not provide Deputies with probable cause to arrest the Offender.
 - 3. Contact with the Sex Offender will be documented in the appropriate report based on the circumstances of the detention.
- D. Once it has been confirmed that a Sex Offender is out of compliance with Nebraska registration requirements and cannot be located, a warrant will be issued for the Offender in accordance with standard DCSO policies and procedures (NSS §29-4006(12)).
 - 1. If they are found to be out of compliance with federal code the United States Marshals Service will be notified.
- E. Deputies who come into contact with a Sex Offender who does not have an active locate or warrant during the normal course of their duties (with the exception of Sex Offender registration) will complete a Field Interview report in RMS documenting the contact and notify the assigned CID investigator of the contact.

REFERENCES

I. Laws

- A. Nebraska State Statutes: §29-4001 - §29—4017.

II. Previous Orders

- A. Previous General Orders: #13-2020.
- B. Previous BDs include: CIB #3-2010.

III. Review Schedule

- A. Quadrennial.