

INDIANA SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

Indiana Criminal Justice Institute
Sex and Violent Offender Directory Manager
One North Capitol, Suite 1000
Indianapolis, IN 46204-2038
Telephone: 317-232-1233
E-mail: svod@cji.state.in.us
http://www.state.in.us/serv/cji_sor
<http://www.indianasheriffs.org/default.asp>

NUMBER OF REGISTERED SEX OFFENDERS

9,373 as of February 4, 2003.¹

1. WHO IS REQUIRED TO REGISTER?

The following persons are required to register:

- (1) an offender who resides in Indiana, including an offender who:
 - (a) spends or intends to spend at least seven days in Indiana during a 180-day period; or
 - (b) owns real property in Indiana and returns to Indiana at any time;
- (2) an offender who does not reside in Indiana but who works or carries on a vocation or intends to work or carry on a vocation full- or part-time for a period of time:
 - (a) exceeding 14 consecutive days; or
 - (b) for an aggregate period of time exceeding 30 days; during any calendar year in Indiana, whether the offender is financially compensated, volunteers, or is acting for the purpose of government or education benefit; or
- (3) an offender who does not reside in Indiana but who is enrolled or intends to be enrolled on a full- or part-time basis in any public or private educational institution, including any secondary school, trade or professional institution, or institution of higher education in Indiana.

(Ind. Code § 5-2-12-5b(a))

2. WHO IS AN “OFFENDER”?

An “offender” is any person convicted of any of the following sex and violent offenses:

- (1) rape;
- (2) criminal deviate conduct;
- (3) child molesting;
- (4) child exploitation;
- (5) vicarious sexual gratification;
- (6) child solicitation;
- (7) child seduction;
- (8) sexual misconduct with a minor;
- (9) incest;
- (10) sexual battery;
- (11) kidnapping, if the victim is under 18;
- (12) criminal confinement, if the victim is under 18;
- (13) an attempt or conspiracy to commit an offense listed in (1) through (12) above; or

¹ This number was provided by Parents for Megan’s Law, a national, not-for-profit, child-advocacy group.

(14) an offense under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in (1) through (13) above.

(Ind. Code § 5-2-12-4b(a))

3. WHO IS A “SEXUALLY VIOLENT PREDATOR”?

A “sexually violent predator” is an offender who suffers from a mental abnormality or personality disorder that makes him or her likely to repeatedly engage in any of the offenses described in Question Two above.

(Ind. Code § 5-2-12-4.5)

4. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

As long as the offender:

- (1) is at least 14;
- (2) is on probation, is on parole, is discharged from a facility by the Indiana Department of Correction, is discharged from a secure private facility, or is discharged from a juvenile-detention facility as a result of an adjudication as a delinquent minor for an act described in Question Two above; and
- (3) is found by a court, through clear and convincing evidence, to be likely to repeat an act that would be an offense described in Question Two above,

he or she may be required to register.

(Ind. Code § 5-2-12-4b(b))

5. WHEN AND WHERE DOES AN OFFENDER REGISTER?

An offender must register no more than seven days after he or she arrives at the place where he or she is required to register.

(Ind. Code § 5-2-12-5b(g))

Most offenders must register with the sheriff of the county where he or she resides. If an offender resides in more than one county, he or she must register with the sheriff of each county in which he or she resides; however, if an offender resides in a county having a consolidated city, he or she must register with the police chief of the consolidated city.

(Ind. Code § 5-2-12-5b(b))

An offender owning real property in Indiana must register with the sheriff in the county in which the property is located. If the property is located in a county containing a consolidated city, the offender must register with the police chief of the consolidated city.

(Ind. Code § 5-2-12-5b(e))

An offender who does not live in Indiana but who works or carries on a vocation in Indiana must register with the sheriff of the county where he or she is or intends to be employed or carry on a vocation; however, if the offender is or intends to be employed or to carry on a vocation in a consolidated city, he or she must register with the police chief of the consolidated city. If an offender is or intends to be employed or carry on a vocation in more than one county, he or she must register with the sheriff of each county, or with the police chief of a consolidated city.

(Ind. Code § 5-2-12-5b(c))

An offender who does not live in Indiana but who is enrolled or intends to enroll as a student in a school in Indiana must register with the sheriff of the county where he or she is enrolled or intends to be enrolled. If an offender enrolls or intends to enroll as a student in a county containing a consolidated city, he or she must register with the police chief of the consolidated city.

(Ind. Code § 5-2-12-5b(d))

6. WHAT INFORMATION MUST AN OFFENDER PROVIDE AT THE TIME OF REGISTRATION?

The registration must include the following information:

- (1) the offender's:
 - (a) full name, aliases, or any other name by which the offender was previously known;
 - (b) date of birth;
 - (c) sex;
 - (d) race;
 - (e) height and weight;
 - (f) hair and eye color;
 - (g) social-security number;
 - (h) driver's license number; and
 - (i) home address;
- (2) a description of the offense for which the offender was convicted, the date of conviction, the county of conviction, the case number of the conviction, and the sentence imposed, if applicable;
- (3) if the offender lives in another state but works or goes to school in Indiana, the name and address of each of his or her employers in Indiana, the name and address of each campus or location where he or she is enrolled in school in Indiana, and the address where he or she stays or intends to stay while in Indiana;
- (4) a recent photograph of the offender; and
- (5) any other information required by the Indiana Criminal Justice Institute.

(Ind. Code § 5-2-12-6b)

7. WHAT HAPPENS IF AN OFFENDER CHANGES HIS OR HER ADDRESS OR OTHER REGISTRATION INFORMATION DURING THE REGISTRATION PERIOD?

If an offender who is required to register changes his or her home address or the place where he or she stays in Indiana, or if he or she does not live in Indiana, but works or goes to school in Indiana, he or she must complete and submit a new registration form no more than seven days after the address change to the sheriff or the police chief with whom he or she last registered.

(Ind. Code § 5-2-12-8b(a))

If the offender moves to a new county in Indiana, the sheriff or the police chief with whom the offender last registered must inform the sheriff in the new county or the police chief of the consolidated city of the offender's new residence. The new sheriff or police chief must then verify the offender's new address within seven days after receiving notice of the offender's change in residence.

(Ind. Code § 5-2-12-8b(b))

An offender who is required to register may not petition for a name change, except if the name change is due to marriage. The offender must then notify the county sheriff or police chief of a consolidated city by completing a registration form no more than 30 days after the name change.

(Ind. Code § 5-2-12-8.6b)

8. WHAT HAPPENS IF AN OFFENDER MOVES FROM INDIANA TO ANOTHER STATE?

If an offender moves his or her residence, place of employment, or enrollment in school to a new state, the sheriff or the police chief of the consolidated city with whom the offender last registered must inform the state police in the new state of the offender's new place of residence, employment, or enrollment.

(Ind. Code § 5-2-12-8b(e))

9. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO INDIANA REQUIRED TO REGISTER?

An offender who moves to Indiana from another state must register no more than seven days after he or she arrives in Indiana.

(Ind. Code § 5-2-12-5b(g))

10. WHAT IF AN OFFENDER LIVES IN ANOTHER STATE BUT WORKS OR GOES TO SCHOOL IN INDIANA?

An offender who moves to Indiana from another state must register no more than seven days after he or she begins employment or school in Indiana.

(Ind. Code § 5-2-12-5b(g))

If the offender changes his or her principal place of employment, vocation, campus, or location where he or she is enrolled in school, he or she must submit a new registration form no more than seven days after the change to the sheriff or the police chief of a consolidated city with whom the offender last registered.

(Ind. Code § 5-2-12-8b(c))

If the offender moves his or her place of employment, vocation, or enrollment to a new county in Indiana, the sheriff or the police chief of a consolidated city with whom the offender last registered must inform the sheriff or police chief in the new county or consolidated city of the offender's new principal place of employment, vocation, or enrollment.

(Ind. Code § 5-2-12-8b(d))

11. IS REGISTRATION A LIFETIME REQUIREMENT?

Most offenders must register for a period of 10 years after he or she is:

- (1) released from a penal facility or secure juvenile-detention facility of a state or another jurisdiction;
- (2) placed in a community-transition program;
- (3) placed in a community-corrections program;
- (4) placed on parole; or
- (5) placed on probation,

whichever occurs last.

(Ind. Code § 5-2-12-13b(a))

An offender who is found to be a sexually violent predator by a court is required to register for an indefinite period, until a court finds that he or she is no longer a sexually violent predator.

(Ind. Code § 5-2-12-13b(b))

An offender who is convicted for at least one sex and violent offense that he or she committed when he or she was at least 18 against a victim who was under 12 at the time of the offense is required to register for life.

(Ind. Code § 5-2-12-13b(c))

An offender who is convicted of at least one sex and violent offense in which he or she proximately caused serious bodily injury or death to the victim, used force or the threat of force against the victim or a member of the victim's family, or rendered the victim unconscious or otherwise incapable of giving voluntary consent, is required to register for life.

(Ind. Code § 5-2-12-13b(d))

An offender who is convicted of at least two unrelated sex and violent offenses is required to register for life.

(Ind. Code § 5-2-12-13b(e))

12. ARE THERE ANY PENALTIES FOR FAILING TO REGISTER OR FOR PROVIDING FALSE INFORMATION?

An offender who knowingly or intentionally fails to register commits a Class D felony; however, the offense is a Class C felony if the offender has a prior offense for failing to register.

(Ind. Code § 5-2-12-9b)

13. CAN I SEARCH THE INTERNET FOR OFFENDERS IN MY AREA?

Two online sex-offender registries are maintained in Indiana. They are the Sheriffs' Sex Offender Registry and the Sex and Violent Offender Directory. The Sheriffs' Registry contains detailed information, including photographs and addresses, about offenders registered with Indiana sheriffs' departments. According to the web site, the purpose of the Sheriffs' Registry is to "inform the general public about the identity, location, and appearance of offenders who live, work, or study in Indiana." The Sex and Violent Offender Directory is a directory maintained by the Indiana Criminal Justice Institute of offenders who have been convicted of more than one sex and violent offense that requires registration with local law enforcement.

The Sheriffs' Registry can be found at <http://www.indianasheriffs.org/default.asp>.

The Sex and Violent Offender Directory can be found at http://www.state.in.us/serv/cji_sor.

14. WHAT IS THE PENALTY FOR MISUSE OF OFFENDER INFORMATION?

According to the Indiana Sheriffs' Sex Offender Registry web site, information in the registry "may not be used to harass or threaten sex offenders or their families. Harassment, stalking or threats may violate Indiana law."