

KENTUCKY SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

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NUMBER OF REGISTERED SEX OFFENDERS

3,328 as of January 31, 2003.

1. WHO IS REQUIRED TO REGISTER?

The Kentucky Sex Offender Registration Act applies to offenders convicted after July 15, 1994.

Any person 18 years of age or older at the time of the offense or any youthful offender who has committed:

- (1) a sex crime; or
- (2) a criminal offense against a victim who is a minor,

is required to register.

(Ky. Rev. Stat. Ann. § 17.500(4)(a))

Sexually violent predators are also required to register.

(Ky. Rev. Stat. Ann. § 17.500(4)(c))

2. WHO IS A “SEXUALLY VIOLENT PREDATOR”?

A “sexually violent predator” is any person who has been subjected to involuntary civil commitment as a sexually violent predator or a similar designation under a state, territory, or federal statutory scheme.

(Ky. Rev. Stat. Ann. § 17.500(7))

3. WHAT DOES “SEX CRIME” MEAN?

“Sex crime” means:

- (1) rape in the first, second, or third degree;
- (2) sodomy in the first, second, third, or fourth degree;
- (3) sexual abuse in the first, second, or third degree;
- (4) sexual misconduct;
- (5) indecent exposure;
- (6) incest;
- (7) unlawful transaction with a minor in the first degree;
- (8) use of a minor in a sexual performance;
- (9) promoting a sexual performance by a minor;
- (10) a felony attempt to commit a felony offense listed in (1) through (9) above; or
- (11) a federal felony offense, a felony offense subject to a court martial of the United States Armed Forces, or from another state or territory if the felony offense is similar to an offense listed in (1) through (9) above.

(Ky. Rev. Stat. Ann. § 17.500(6))

4. WHAT DOES “CRIMINAL OFFENSE AGAINST A VICTIM WHO IS A MINOR” MEAN?

A “criminal offense against a victim who is a minor” means any of the following offenses if the victim is under 18 at the time the offense is committed:

- (1) kidnapping, except by a parent;
- (2) unlawful confinement, except by a parent;
- (3) sex crime;
- (4) promoting a sexual performance of a minor;
- (5) promoting prostitution, when the offender advances or profits from the prostitution of a person under 18;
- (6) use of a minor in a sexual performance;
- (7) sexual abuse; or
- (8) any attempt or solicitation to commit any of the offenses listed in (1) through (7) above.

(Ky. Rev. Stat. Ann. § 17.500(2)(a))

Conduct that is considered criminal only because of the age of the victim is not a criminal offense against a victim who is a minor if the offender was under 18 at the time the offense was committed.

(Ky. Rev. Stat. Ann. § 17.500(2)(b))

5. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

A “youthful offender” who has committed a sex crime or a criminal offense against a victim who is a minor must register.

(Ky. Rev. Stat. Ann. § 17.500(4)(a))

A “youthful offender” means any person, regardless of age, who is transferred to circuit court and who is subsequently convicted in circuit court.

(Ky. Rev. Stat. Ann. § 600.020(63))

6. WHEN AND WHERE DOES AN OFFENDER REGISTER?

An offender must, on or before the date of his or her release by the court, the parole board, the Kentucky Justice Cabinet, or any detention facility, register with the appropriate local probation and parole office in the county in which he or she intends to reside. The person in charge of the offender’s release is responsible for facilitating the registration process.

(Ky. Rev. Stat. Ann. § 17.510(2); § 17.520(1))

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

Registration information includes:

- (1) name and aliases used;
- (2) social-security number;
- (3) age;
- (4) race;
- (5) sex;
- (6) date of birth;
- (7) weight;
- (8) hair and eye color;
- (9) fingerprints;
- (10) photograph;
- (11) residence; and

(12) a brief description of the crime(s) committed.
(Ky. Rev. Stat. Ann. § 17.500(5))

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

If the residence address of any offender changes, but the offender remains in the same county, he or she must register on or before the date of the change of address with the appropriate local probation and parole office in the county in which he or she resides.

(Ky. Rev. Stat. Ann. § 17.510(10)(a))

If an offender changes his or her residence to a new county, he or she must notify his or her current local probation and parole office of the new residence address on or before the date of the change of address. He or she must also register with the appropriate local probation and parole office in the county of his or her new residence no later than five days after the date of the change of address.

(Ky. Rev. Stat. Ann. § 17.510(10)(b))

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

Any person who has been convicted in a court of another state or territory, a court of the United States, or a court martial of the United States Armed Forces of a sex crime or criminal offense against a minor victim, or who has been committed as a sexually violent predator under the laws of another state or territory, or federal laws must register upon relocating to Kentucky.

(Ky. Rev. Stat. Ann. § 17.500(4)(b); § 17.510(6))

If a person is required to register under federal law or the laws of another state or territory, or if the person has been convicted of an offense under the laws of another state or territory that would require registration if committed in Kentucky, he or she, upon changing residence from the other state or territory to Kentucky must register upon relocation.

(Ky. Rev. Stat. Ann. § 17.510(7))

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

If a person is required to register under federal law or the laws of another state or territory, or if the person has been convicted of an offense under the laws of another state or territory that would require registration if committed in Kentucky, he or she, upon entering Kentucky for employment, to carry on a vocation, or as a student must register with the appropriate local probation and parole office in the county of employment, vocation, or schooling.

(Ky. Rev. Stat. Ann. § 17.500(4)(b); § 17.510(7))

11. IS REGISTRATION A LIFETIME REQUIREMENT?

Lifetime registration is required for:

- (1) any person who has been convicted of kidnapping or unlawful confinement, when the victim is under 18 at the time the offense is committed, except when the offender is one of the victim's parents;
- (2) any person convicted of a sex crime who:
 - (a) has one or more prior convictions of a criminal offense against a victim who is a minor; or
 - (b) has one or more prior sex-crime convictions;
- (3) any person who has been convicted of two or more criminal offenses against a victim who is a minor;

- (4) any person who has been convicted of:
 - (a) first-degree rape; or
 - (b) first-degree sodomy; and
- (5) any sexually violent predator.

(Ky. Rev. Stat. Ann. § 17.520(2))

All other offenders are required to register for 10 years following discharge from confinement or 10 years following the maximum discharge date on probation, shock probation, conditional discharge, parole, or other form of early release, whichever period is greater.

(Ky. Rev. Stat. Ann. § 17.520(3))

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

Failing to register, or knowingly providing false, misleading, or incomplete information is a felony.

(Ky. Rev. Stat. Ann. § 17.510(11))

13. IS INFORMATION RELEASED TO THE PUBLIC ABOUT REGISTERED OFFENDERS?

Information on **adults** who have committed sex crimes or crimes against minors is made available on a web site maintained by the Kentucky State Police. The web site displays the offenders first and last names, address, date of birth, sex, aliases used, height, weight, hair and eye color, race, date registered, offense(s) committed, and a photograph if available.

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

The Kentucky State Police Sex-Offender Registry can be searched by last name, city, county, and zip code. The web site is at <http://kspsor.state.ky.us/>.

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

Use of information obtained from the Kentucky State Police Sex-Offender Registry to harass a person identified on the web site is a criminal offense, punishable by up to 90 days in the county jail. More severe criminal penalties apply for more severe crimes committed against an offender on the web site.

(Ky. Rev. Stat. Ann. § 17.580(3))