

NEW JERSEY SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

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http://www.njsp.org/info/reg_sexoffend.html

NUMBER OF REGISTERED SEX OFFENDERS

9,290 as of January 6, 2003.

1. WHO IS REQUIRED TO REGISTER?

Any person convicted, adjudicated delinquent, or found not guilty by reason of insanity for a sex offense must register.

(N.J. Stat. Ann. § 2C:7-2(a))

2. WHAT DOES “SEX OFFENSE” MEAN?

“Sex offense” includes the following:

- (1) aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping, or an attempt to commit any of these offenses if the court found that the offender’s conduct was characterized by a pattern of repetitive, compulsive behavior, regardless of the date of the commission of the offense or the date of conviction;
- (2) a conviction, adjudication of delinquency, or acquittal by reason of insanity for:
 - (a) aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping, endangering the welfare of a minor, luring or enticing, or criminal sexual contact, if the victim is a minor;
 - (b) kidnapping, criminal restraint pursuant, or false imprisonment, if the victim is a minor and the offender is not the parent of the victim;
 - (c) knowingly promoting prostitution of a minor; or
 - (d) an attempt to commit any of the offenses listed in (a) through (c) above if the conviction, adjudication of delinquency, or acquittal by reason of insanity is entered on or after October 31, 1994, or the offender is serving a sentence of incarceration, probation, parole, or other form of community supervision as a result of the offense or is confined following acquittal by reason of insanity or as a result of civil commitment on October 31, 1994; or
- (3) a conviction, adjudication of delinquency, or acquittal by reason of insanity for an offense similar to any offense listed in (2) above, or a sentence on the basis of criteria similar to the criteria set forth in (1) above, entered or imposed under the laws of the United States, New Jersey, or another state.

(N.J. Stat. Ann. § 2C:7-2(b))

3. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

A juvenile who is adjudicated delinquent for:

- (1) aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping, endangering the welfare of a minor, luring or enticing, or criminal sexual contact, if the victim is a minor;
- (2) kidnapping, criminal restraint pursuant, or false imprisonment, if the victim is a minor and the offender is not the parent of the victim;
- (3) knowingly promoting prostitution of a minor;
- (4) an attempt to commit any of the offenses listed in (1) through (3) above if the adjudication of delinquency is entered on or after October 31, 1994; or
- (5) an offense similar to any offense listed in (1) through (4) above, entered or imposed under the laws of the United States, New Jersey, or another state.

(N.J. Stat. Ann. §§ 2C:7-2(b)(2)-(3))

4. WHEN AND WHERE DOES AN OFFENDER REGISTER?

An offender who is required to register and who is under supervision in the community, or on probation, parole, work release, or a similar program must register at the time he or she is placed under supervision in accordance with procedures established by the Department of Corrections, the Department of Human Services, the Juvenile Justice Commission, or the Administrative Office of the Courts, whichever is responsible for supervision.

(N.J. Stat. Ann. § 2C:7-2(c)(1))

An offender who is required to register and who is confined in a correctional or juvenile facility or involuntarily committed must register prior to his or her release in accordance with procedures established by the Department of Corrections, the Department of Human Services, or the Juvenile Justice Commission.

(N.J. Stat. Ann. § 2C:7-2(c)(2))

An offender who is required to register on the basis of a conviction before October 31, 1994, who is not confined or under supervision on October 31, 1994, must register within 120 days of October 31, 1994, with the chief law-enforcement officer of the city or town in which he or she will live. If the municipality does not have a local police force, the offender must register with the Superintendent of State Police.

(N.J. Stat. Ann. § 2C:7-2(c)(4))

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

The form of registration must include the offender's:

- (1) name;
- (2) social-security number;
- (3) age;
- (4) race;
- (5) sex;
- (6) date of birth;
- (7) height and weight;
- (8) hair and eye color;
- (9) address of legal residence;
- (10) address of any current temporary residence;
- (11) date and place of employment;
- (12) date and place of each conviction, adjudication, or acquittal by reason of insanity;

- (13) indictment number;
- (14) fingerprints;
- (15) offense(s) for which registration is required; and
- (16) any other information that the New Jersey Attorney General deems necessary to assess risk of future commission of an offense, including:
 - (a) criminal and corrections records;
 - (b) nonprivileged personnel, treatment, and abuse registry records; and
 - (c) evidentiary genetic markers when available.

(N.J. Stat. Ann. § 2C:7-4(b))

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

Upon a change of address, an offender must notify the law-enforcement agency with which the he or she is registered and must re-register with the appropriate law-enforcement agency no less than 10 days before he or she intends to first reside at his or her new address.

(N.J. Stat. Ann. § 2C:7-2(d))

7. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO NEW JERSEY REQUIRED TO REGISTER?

Any offender moving to or returning to New Jersey from another jurisdiction must register with the chief law-enforcement officer of the municipality in which he or she will reside. If the municipality does not have a local police force, the offender must register with the Superintendent of State Police within 70 days of first residing or returning to a city or town in New Jersey.

(N.J. Stat. Ann. § 2C:7-2(c)(3))

8. IS REGISTRATION A LIFETIME REQUIREMENT?

An offender who is required to register may make an application to the New Jersey Superior Court to terminate the obligation to register upon proof that he or she has not committed an offense within 15 years following conviction or release from a correctional facility for any term of imprisonment imposed, whichever is later, and is not likely to pose a threat to the safety of others.

(N.J. Stat. Ann. § 2C:7-2(e))

An offender who is required to register and who has been convicted of, adjudicated delinquent, or acquitted by reason of insanity for more than one sex offense or who has been convicted of, adjudicated delinquent, or acquitted by reason of insanity for aggravated sexual assault or sexual assault is not eligible to make an application to the New Jersey Superior Court to terminate his or her registration obligation.

(N.J. Stat. Ann. § 2C:7-2(f))

9. WHAT INFORMATION IS RELEASED TO THE PUBLIC ABOUT REGISTERED OFFENDERS?

Law-enforcement agencies in New Jersey are authorized to release relevant and necessary information regarding sex offenders to the public when the release of the information is necessary for public protection.

(N.J. Stat. Ann. § 2C:7-5(a))

Within 45 days upon receiving notice that an inmate convicted of or adjudicated delinquent for a sex offense is to be released from imprisonment or confinement, and after receiving registration, the chief law-enforcement officer of the city or town where the offender intends to live must provide notification

of his or her release to the community. If the municipality does not have a police force, the Superintendent of State Police must provide such notice.

(N.J. Stat. Ann. § 2C:7-6)

After receiving notification and registration that an offender who is required to register intends to change his or her address, the chief law-enforcement officer of the municipality to which he or she is moving to must provide notice of that relocation to the community. If the municipality does not have a police force, the Superintendent of State Police must provide notification.

(N.J. Stat. Ann. § 2C:7-7)

There are three levels of notification depending upon the risk of reoffense by the offender:

- (1) if risk of reoffense is low, law-enforcement agencies likely to encounter the person registered must be notified;
- (2) if risk of reoffense is moderate, organizations in the community including schools and religious and youth organizations must be notified in accordance with the New Jersey Attorney General's guidelines, in addition to law-enforcement agencies likely to encounter the person registered; or
- (3) if risk of reoffense is high, the public must be notified through means in accordance with the New Jersey Attorney General's guidelines designed to reach law-enforcement agencies and members of the public likely to encounter the person registered, as well as organizations in the community including schools and religious and youth organizations that must be notified in accordance with the New Jersey Attorney General's guidelines.

(N.J. Stat. Ann. § 2C:7-8(c))

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

The Superintendent of State Police maintains a system for making certain information in the Central Registry publicly available by means of the Internet. The web site for the registry is available at http://www.njsp.org/info/reg_sexoffend.html.

(N.J. Stat. Ann. § 2C:7-13(a))

The public may, without limitation, obtain access to the Internet registry to view an individual registration record, any part of, or the entire Internet registry concerning all offenders whose risk of reoffense is high, regardless of age.

(N.J. Stat. Ann. § 2C:7-13(b))

The public may, without limitation, obtain access to the Internet registry to view an individual registration record, any part of, or the entire Internet registry concerning all offenders whose risk of reoffense is moderate; however, the individual registration record of an offender whose risk of reoffense has been determined to be moderate will not be made available to the public on the Internet registry if the sole sex offense committed by the offender which renders him or her subject to the registration requirements is one of the following:

- (1) an adjudication of delinquency for any sex offense;
- (2) a conviction or acquittal by reason of insanity for sexual assault, aggravated criminal contact, or criminal contact under circumstances in which the offender was related to the victim by blood or affinity to the third degree or was a foster parent, a guardian, or stood *in loco parentis* within the household; or
- (3) a conviction or acquittal by reason of insanity for sexual assault, aggravated criminal contact, or criminal contact in any case in which the victim assented to the commission of the offense but by reason of age was not capable of giving lawful consent.

These exceptions will not apply, however, if the State establishes by clear and convincing evidence that, given the particular facts and circumstances of the offense and the characteristics and propensities of the

offender, the risk to the public posed by the offender is substantially similar to that posed by offenders whose risk of reoffense is moderate and who do not qualify under the exceptions.

(N.J. Stat. Ann. §§ 2C:7-13(c)-(e))

The individual registration records of offenders whose risk of reoffense is low or of offenders whose risk of reoffense is moderate but for whom a court has not ordered notification are not available to the public on the Internet registry.

(N.J. Stat. Ann. § 2C:7-13(f))

The information concerning a registered offender that is made publicly available on the Internet includes:

- (1) the offender's:
 - (a) name and any aliases he or she has used or under which he or she may be or may have been known;
 - (b) age;
 - (c) race;
 - (d) sex;
 - (e) date of birth;
 - (f) height and weight;
 - (g) hair and eye color;
 - (h) any distinguishing scars or tattoos;
 - (i) photograph and the date on which the photograph was entered into the registry;
 - (j) make, model, color, year, and license-plate number of any vehicle operated by him or her; and
 - (k) the street address, zip code, municipality, and county in which he or she resides;
- (2) any sex offense for which the offender was convicted, adjudicated delinquent, or acquitted by reason of insanity, as the case may be;
- (3) the date and location of disposition;
- (4) a brief description of any sex offense including the victim's gender and indication of whether the victim was under 18 years or under 13 at the time of the offense;
- (5) a general description of the offender's *modus operandi*, if any; and
- (6) the determination of whether the risk of reoffense by the offender is moderate or high.

(N.J. Stat. Ann. § 2C:7-13(g))