

TENNESSEE SEX-OFFENDER REGISTRATION AND NOTIFICATION

CONTACT INFORMATION

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http://www.ticic.state.tn.us/SEX_ofndr/search_short.asp

NUMBER OF REGISTERED SEX OFFENDERS

5,928 as of March 17, 2003.

1. WHO IS REQUIRED TO REGISTER?

Sexual offenders are required to register.

(Tenn. Code Ann. § 40-39-103(a))

2. WHAT DOES “SEXUAL OFFENDER” MEAN?

“Sexual offender” means a person who is, or has been, convicted in Tennessee of committing a sexual offense, who is, or has been, convicted in another state or country, or who is, or has been, convicted in a federal or military court of committing an act that would have constituted a sexual offense if committed in Tennessee, provided:

- (1) the conviction occurred on or after January 1, 1995; or
- (2) if the conviction occurred prior to January 1, 1995, the person:
 - (a) remains under or is placed on probation, parole, or any other alternative to incarceration on or after January 1, 1995;
 - (b) is discharged from probation, parole, or any other alternative to incarceration on or after January 1, 1995; or
 - (c) is discharged from incarceration without supervision on or after January 1, 1995.

(Tenn. Code Ann. § 40-39-102(4))

3. WHAT DOES “SEXUAL OFFENSE” MEAN?

“Sexual offense” means:

- (1) the commission of any act that, on or after November 1, 1989, constituted the criminal offense of:
 - (a) aggravated rape;
 - (b) rape;
 - (c) aggravated sexual battery;
 - (d) sexual battery;
 - (e) sexual battery by an authority figure;
 - (f) statutory rape;
 - (g) aggravated prostitution;
 - (h) especially aggravated sexual exploitation of a minor;
 - (i) aggravated sexual exploitation of a minor;
 - (j) sexual exploitation of a minor;
 - (k) incest;
 - (l) false imprisonment of a minor, except when committed by a parent of the minor;

- (m) especially aggravated kidnapping of a minor, except when committed by a parent of the minor;
- (n) aggravated kidnapping of a minor, except when committed by a parent of the minor;
- (o) kidnapping of a minor, except when committed by a parent of the minor;
- (p) rape of a minor;
- (q) solicitation of a minor;
- (r) attempt, solicitation, or conspiracy to commit an offense listed in (a) through (q) above; or
- (s) criminal responsibility for facilitating the commission of or being an accessory after the fact to an offense listed in (a) through (r) above; or

(2) the commission of any act that, prior to November 1, 1989, constituted the criminal offense of:

- (a) aggravated rape;
- (b) rape;
- (c) aggravated sexual battery;
- (d) sexual battery;
- (e) statutory rape;
- (f) assault with the intent to commit rape;
- (g) attempt to commit rape or sexual battery;
- (h) incest;
- (i) use of a minor for obscene purposes;
- (j) promotion of a performance including sexual conduct by a minor;
- (k) criminal sexual conduct in the first, second, or third degree;
- (l) aggravated kidnapping of a minor, except when committed by a parent of the minor;
- (m) kidnapping of a minor, except when committed by a parent of the minor;
- (n) attempt, solicitation, or conspiracy to commit an offense listed in (a) through (m) above; or
- (o) being an accessory before or after the fact or aider and abettor to an offense listed in (a) through (n) above.

(Tenn. Code Ann. § 40-39-102(5))

4. ARE JUVENILE OFFENDERS REQUIRED TO REGISTER?

Please contact the Tennessee Bureau of Investigation's Sex-Offender-Registration Office or local law enforcement for information on juvenile sexual offenders.

5. WHEN AND WHERE DOES AN OFFENDER REGISTER?

Within 10 days following a sexual offender's release on probation, parole, other alternative to incarceration, or discharge from prison without supervision, he or she must complete the Tennessee Bureau of Investigation's sexual-offender registration form and must deliver such form to the bureau headquarters in Nashville.

(Tenn. Code Ann. § 40-39-103(a))

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

Sexual-offender registration forms require disclosure of the following information about the sexual offender:

- (1) complete name as well as any alias(es);
- (2) date and place of birth;
- (3) social-security number(s);
- (4) state of issuance and identification number of any valid driver's license(s);
- (5) for a sexual offender on supervised release, the name, address, and telephone number of his or her probation and parole officer or other person responsible for his or her supervision;
- (6) sexual offense(s) of which he or she has been convicted;
- (7) current place and length of employment;
- (8) current address and length of residence at such address;
- (9) name and address of each institution of higher education in Tennessee at which he or she is employed, carries on a vocation, or is a student;
- (10) race;
- (11) gender; and
- (12) other registration information, including a current photograph, as may be required.

(Tenn. Code Ann. § 40-39-103(a))

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

A registered sexual offender must update his or her registration information within 10 days following any change in residence.

(Tenn. Code Ann. § 40-39-103(a))

A registered sexual offender must update his or her registration within 10 days following employment or after becoming a student or volunteer at an institution of higher learning in the county or municipality where he or she resides.

(Tenn. Code Ann. § 40-39-103(a))

8. IS AN OFFENDER WHO MOVES FROM ANOTHER STATE TO TENNESSEE REQUIRED TO REGISTER?

A sexual offender who is placed on probation or parole in another state for an offense that would be classified as a sexual offense in Tennessee and who is residing in Tennessee is subject to the same registration requirements as an offender who is on probation or parole for a sexual offense committed in Tennessee.

(Tenn. Code Ann. § 40-39-103(a))

A sexual offender who moves to Tennessee from another state must register within 10 days after entering any municipality or county in which he or she temporarily resides or is domiciled.

(Tenn. Code Ann. § 40-39-103(a))

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

A sexual offender who lives in another state but works or goes to school in Tennessee must register within 10 days after coming into a municipality or county in which he or she is employed, carries on a vocation, or is a student.

(Tenn. Code Ann. § 40-39-103(a))

10. IS REGISTRATION A LIFETIME REQUIREMENT?

No sooner than 10 years after termination of active supervision on probation, parole, or any other alternative to incarceration or no sooner than 10 years after discharge from incarceration without supervision, a registered sexual offender may file a petition in the circuit court of the county in which he or she resides for an order relieving him or her of the duty to register. If the court finds that the registered sexual offender has complied with the registration requirements, is rehabilitated, and does not pose a threat to the safety of the public, he or she will be relieved of his or her duty to register.

(Tenn. Code Ann. §§ 40-39-107(a), (c))

Registration for life is required if the registered sexual offender:

- (1) has one or more prior convictions for a sexual offense; or
- (2) has been convicted of a sexually violent offense.

(Tenn. Code Ann. § 40-39-107(g)(1))

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

Knowing falsification of a sexual-offender registration or verification form constitutes a Class A misdemeanor for the first offense, punishable by confinement in the county jail for no less than 180 days. A subsequent violation is a Class E felony.

(Tenn. Code Ann. § 40-39-108(a))

Falsification also constitutes sufficient grounds for, and may result in, revocation of probation, parole, or other alternative to incarceration.

(Tenn. Code Ann. § 40-39-108(a))

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

For all offenses committed prior to July 1, 1997, information reported on sexual-offender registration forms, verification forms, and acknowledgement forms is confidential; however, the Tennessee Bureau of Investigation, a local law-enforcement agency, or a local law-enforcement agency of any institution of higher education must release relevant information deemed necessary to protect the public concerning a specific registered sexual offender.

(Tenn. Code Ann. § 40-39-106(c))

For all sexual offenses committed on or after October 27, 2002, the following information concerning a registered sexual offender is public information:

- (1) the offender's:
 - (a) complete name as well as any aliases;
 - (b) date of birth;
 - (c) sexual offense(s) for which he or she has been convicted;
 - (d) street address, including house number, county, city, and zip code, or if the offender does not reside in a city, his or her county, rural route, and zip code;
 - (e) race;
 - (f) gender;
 - (g) photograph;
 - (h) driver's license number and issuing state; and
 - (i) parole or probation office; and
- (2) date of last verification of information by the sexual offender.

(Tenn. Code Ann. § 40-39-106(f))

Registered sexual offenders who committed a sexual offense on or after October 27, 2002, must also provide the name and address of any institution of higher education in Tennessee at which he or she is employed, carries on a vocation, or is a student.

(Tenn. Code Ann. § 40-39-106(f))

Information is made public through:

- (1) written notice;
- (2) electronic transmission of registration information;
- (3) providing online access to registration information; and
- (4) a toll-free number established by the Tennessee Bureau of Investigation that permits members of the public to call and inquire as to whether a named individual is listed among those who have registered as sexual offenders.

(Tenn. Code Ann. §§ 40-39-106(d), (f))

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

The Tennessee Bureau of Investigation maintains an online Sex-Offender Registry for registered sexual offenders who committed sexual offenses on or after July 1, 1997. The web site can be searched by last name, county of residence, and zip code.

The web site is available at http://www.ticic.state.tn.us/SEX_ofndr/search_short.asp.

Information available includes the sexual offender's:

- (1) name and any aliases used;
- (2) photograph;
- (3) county of residence and address;
- (4) race;
- (5) sex;
- (6) date of birth;
- (7) driver's license number and issuing state;
- (8) supervision site, if applicable;
- (9) offense(s) requiring registration and the date the offense was committed; and
- (10) last verification date.

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

As provided on the sexual-offender registry web site, "Information should not be used in any manner to injure, harass, or commit a criminal act against any person named in the registry. Any such action could subject you to criminal prosecution."