



## MOVING TO NEW YORK STATE?

*A Quick Reference Guide for Relocation for Registered Sex Offenders*

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### *Notifications*

All out-of-state sex offenders are required to notify the New York State Division of Criminal Justice Services (DCJS) within 10 calendar days of establishing residency in New York. Failure to meet applicable notification and registration requirements may result in a felony conviction.

New York State Division of Criminal Justice Services	Main phone #:	518-457-5628
Office of Sex Offender Management	Registry main phone #:	518-457-3167
Alfred E. Smith Building	Registry database searches:	518-457-5837
80 South Swan Street		1-800-262-3257
Albany, NY 12210	E-mail:	<a href="mailto:infodjs@dcjs.ny.gov">infodjs@dcjs.ny.gov</a>

### *Review Process*

The Board of Examiners for the Sex Offender Registry reviews cases from other jurisdictions (e.g., federal, military, another state or country). The Board applies three criteria to determine whether registration is required. Registration is required if the offense is:

- equivalent to a New York State registerable offense<sup>1</sup> (<http://www.criminaljustice.ny.gov/nsor/sortab1.htm>); or
- a felony sex offense that was registerable in the state where the conviction occurred; or
- one of various federal offenses regarding the sexual exploitation of minors.

Within 60 days, the Board will make a confidential recommendation to the sentencing court and district attorney where the individual resides. Any supplemental materials must be provided to the Board no less than 30 days before their decision is made.

### *Decision*

If the offense fits the criteria for a sex offense, the court will schedule a hearing to determine the level of risk and any added designations. Individuals will receive a written notice no less than 30 days prior to the date of the proceeding.

Reporting and duration requirements vary based on risk level and designation.

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<sup>1</sup> New York State registerable offenses include: rape; criminal sexual act; sexual abuse and aggravated sexual abuse; predatory sexual assault; sodomy; forcible touching; various prostitution-related offenses; sex trafficking; unlawful surveillance; various offenses related to obscene sexual performance by a child; and incest. A full list of registerable offenses is available at <http://www.criminaljustice.ny.gov/nsor/sortab1.htm>.



### *NEW YORK SEX OFFENDER RISK LEVELS*

- **Level 3** (risk of repeat offense is high) – register for life.
- **Level 2** (risk of repeat offense is moderate) – register for life.
- **Level 1** (risk of repeat offense is low) – register for 20 years, unless the offender has a designation which requires life-long registration.

### *NEW YORK SEX OFFENDER DESIGNATIONS*

- **Sexual predator** – a person who has been convicted of a sexually violent offense, and who suffers from a mental abnormality or personality disorder that makes him or her likely to engage in predatory sexually violent offenses.
- **Predicate sex offender** - a sex offender who has been convicted of a sex offense when the offender has been previously convicted of a sex offense.

### *REPORTING BASICS*

- Annual reporting on place of residence via mail verification.
- Disclose any change in residence within 10 days.
- Level 3 offenders and offenders with a sexual predator designation must personally verify their addresses every 90 days with law enforcement. Law enforcement may at that time photograph a level 3 offender if that offender's appearance has changed.
- Report in person to a local police agency to have a current photograph taken every three years (Level 1 and 2 offenders) or every year (Level 3 offenders)
- Written notification when attending, enrolled, living at, or employed by an institution of higher education. Disclose any change in status with such institution within 10 days.
- Provide in writing Internet service providers, Internet screen names and e-mail accounts.