

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 675

Short Title: Statewide Sex Offender Registry.

(Public)

Sponsors: Senators Odom; Albertson, Allran, Carpenter, Carrington, Cooper, Forrester, Foxx, Garwood, Gulley, Hoyle, Jordan, Martin of Guilford, McDaniel, Page, Perdue, Phillips, Plyler, Rand, Reeves, Rucho, Warren, Webster, Weinstein, Wellons, and Winner.

Referred to: Judiciary.

April 2, 1997

A BILL TO BE ENTITLED

1 AN ACT TO REQUIRE THE DIVISION OF CRIMINAL STATISTICS OF THE
2 DEPARTMENT OF JUSTICE TO COMPILE A STATEWIDE SEX OFFENDER
3 REGISTRY AND TO PROVIDE PUBLIC ACCESS TO CERTAIN
4 INFORMATION IN THE REGISTRY, AND TO MAKE CONFORMING
5 STATUTORY CHANGES.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 14-208.6 reads as rewritten:

9 **"§ 14-208.6. Definitions.**

10 The following definitions apply in this Article:

- 11 (1) 'Division' means the Division of Criminal Statistics of the Department
12 of Justice.
13 (2) 'Penal institution' means a detention facility operated under the
14 jurisdiction of the Division of Prisons of the Department of Correction,
15 or a county jail.
16 (3) 'Release' means discharged or paroled.
17 (4) 'Reportable conviction' means:

- 1 a. A final conviction for violation of G.S. 14-27.2 (first degree
2 rape), 14-27.3 (second degree rape), 14-27.4 (first degree sexual
3 offense), 14-27.5 (second degree sexual offense), 14-27.6
4 (attempted rape or sexual offense), 14-27.7 (intercourse and
5 sexual offense with certain victims), 14-178 (incest between near
6 relatives), 14-190.6 (employing or permitting minor to assist in
7 offenses against public morality and decency), 14-190.16 (first
8 degree sexual exploitation of a minor), 14-190.17 (second degree
9 sexual exploitation of a minor), 14-190.17A (third degree sexual
10 exploitation of a minor), 14-190.18 (promoting prostitution of a
11 minor), 14-190.19 (participating in prostitution of a minor), or
12 14-202.1 (taking indecent liberties with children).
- 13 b. A final conviction in another state of an offense, which if
14 committed in this State, would have been a sex offense as
15 defined by the sections of the General Statutes set forth in
16 paragraph a. of this subdivision.

17 ~~(4)~~(5) 'Sheriff' means the sheriff of a county in this State.

18 (6) 'Statewide registry' means the central registry compiled by the Division
19 in accordance with G.S. 14-208.14."

20 Section 2. Article 27A of Chapter 14 of the General Statutes is amended by
21 adding a new section to read:

22 "**§ 14-208.14. Division of Criminal statistics designated custodian of statewide**
23 **registry.**

24 (a) The Division of Criminal Statistics shall compile and keep current a central
25 statewide sex offender registry. The Division is the State agency designated as the
26 custodian of the statewide registry. As custodian the Division has the following
27 responsibilities:

- 28 (1) To receive from the sheriff or any other law enforcement agency or
29 penal institution all sex offender registrations, changes of address, and
30 prerelease notifications required under this Article or under federal law.
31 The Division shall also receive notices of any violation of this Article,
32 including a failure to register or a failure to report a change of address.
- 33 (2) To notify all appropriate law enforcement agencies, (local, State,
34 federal, and those located in other states) immediately upon receipt by
35 the Division of any of the following: registration information, a
36 prerelease notification, a change of address, or notice of a violation of
37 the Article.
- 38 (3) To coordinate efforts among law enforcement agencies and penal
39 institutions to ensure that the registration information, changes of
40 address, prerelease notifications, and notices of failure to register or to
41 report a change of address are conveyed in an appropriate and timely
42 manner.

- 1 (4) To provide public access to the statewide registry in accordance with
2 this Article.
- 3 (b) The statewide registry shall include the following:
- 4 (1) Registration information obtained by a sheriff or penal institution under
5 this Article or from any other local or State law enforcement agency.
- 6 (2) Registration information received from a State or local law enforcement
7 agency or penal institution in another state.
- 8 (3) Registration information received from a federal law enforcement
9 agency or penal institution.
- 10 (c) The information in the statewide registry that is public record is the same as in
11 G.S. 14-208.10 and shall be available for public inspection. The Division may release
12 any other information that is necessary to protect the public concerning a specific person,
13 but shall not release the identity of the victim of the offense that required registration
14 under this Article.
- 15 (d) Any person may obtain from the Division a copy of an individual's registration
16 form, a part of the statewide registry, or all of the statewide registry, by submitting a
17 written request for the information to the Division and paying the fee for duplicating
18 costs. However, the identity of the victim of an offense that requires registration under
19 this Article shall not be released.
- 20 The Division may charge a reasonable fee for duplicating costs and for mailing costs
21 when appropriate."
- 22 Section 3. This act is effective when it becomes law.