Megan's Law for Virginia

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OFFENDERS REQUIRED TO REGISTER:	Every person convicted on or after July 1, 1994, of an offense set forth in § 9.1-902 shall register and re-register as required by this chapter. Every person serving a sentence of confinement on or after July 1, 1994, for a conviction of an offense set forth in § 9.1-902 shall register and re-register as required by this chapter. Every person under community supervision as defined by § 53.1-1 or any similar form of supervision under the laws of the United States, any foreign country, or any political subdivision thereof, and any person convicted of any offense for which registration in a sex offender and crimes against minors registry is required under the laws of the jurisdiction where the offender was convicted on or after July 1, 1994, resulting from a conviction of an offense set forth in § 9.1-902 shall register and re-register as required by this chapter. Every person found not guilty by reason of insanity on or after July 1, 2007, of an offense set forth in § 9.1-902 shall register and reregister as required by this chapter. Every person in the custody of the Commissioner of Behavioral Health and Developmental Services, or on conditional release on or after July 1, 2007, because of a finding of not guilty by reason of insanity of an offense set forth in § 9.1-902 shall register and reregister as required by this chapter.C. Unless a specific effective date is otherwise provided, all provisions of the Sex Offender and Crimes Against Minors Registry Act shall apply retroactively. This subsection is declaratory of existing law.
INFORMATION COLLECTED:	Fingerprints and a photograph of a type and kind specified by the State Police, name and all aliases, DOB, SSN, complete physical address, place of employment and a description of the offense or offenses for which he was convicted, electronic mail address information, any instant message, chat or other Internet communication name or identity information that the person uses or intends to. Motor vehicle, watercraft and aircraft registration information for all motor vehicles, watercraft and aircraft owned by him. A sample of his blood, saliva or tissue taken for DNA (deoxyribonucleic acid) analysis to determine identification characteristics specific to the person. If the person is attending or employed at an institution of higher learning both inside and outside of Virginia they shall provide the name of the institution. They shall also provide updated information when they change their address, change place of employment or change to a different institution of higher learning. A person if applicable shall provide the same information on convictions

	for any of the specified offenses or under a substantially similar law of the United States or any other state.
ADMINISTRATING AGENCY:	Virginia State Police.
TIMEFRAME FOR REGISTRATION:	Must register upon conviction, suspension of sentence; within three days of release, three days of establishing new residence, three days of changing address and within three days of establishing a first time residence, three days of name, vehicle, employment or education change. Within 30 minutes of change in electronic communication. The offender that is moving outside of Virginia, must report to their local law enforcement agency where he physically resides and complete an SP-236 Registration form 10 days prior to the move.
APPLIES TO OUT OF STATE OFFENDERS:	Yes
DURATION OF REQUIREMENT:	Any person required to register, other than a person who has been convicted of any (i) Tier III offense, (ii) two or more offenses for which registration is required, (iii) a violation of former § 18.2-67.2:1, or (iv) murder, may petition the circuit court in which he was convicted or the circuit court in the jurisdiction where he then resides for removal of his name and all identifying information from the Registry. A person who is required to register for a single Tier I offense may petition the court no earlier than 15 years from the later of the date of initial registration or the date of his last conviction for (a) a violation of § 18.2-472.1 or (b) any felony. A person who is required to register for a single Tier II offense may petition the court no earlier than 25 years from the later of the date of initial registration or the date of his last conviction for (1) a violation of § 18.2-472.1 or (2) any felony. A petition may not be filed until all court ordered treatment, counseling, and restitution has been completed. The court shall obtain a copy of the petitioner's complete criminal history and registration, reregistration, and verification of registration information history from the Registry and then hold a hearing on the petition at which the applicant and any interested persons may present witnesses and other evidence. The Commonwealth shall be made a party to any action under this section. If, after such hearing, the court is satisfied that such person no longer poses a risk to public safety, the court shall grant the petition. In the event the petition is not granted, the person shall wait at least 24 months from the date of the denial to file a new petition for removal from the Registry. The State Police shall remove from the Registry the name of any person and all identifying information upon receipt of an order granting a petition.
VERIFICATION OF ADDRESS:	Any person convicted of a Tier III offense or murder, four times each year at three-month intervals, including the person's birth

	month. Any person convicted of a violation of § 18.2-472.1, in which such person was included on the Registry for a conviction of a Tier III offense or murder, every month. The State Police shall make available to the person an address verification form to be used for verification of his registration information. The form shall contain in bold print a statement indicating that failure to comply with the verification required is punishable as provided in § 18.2-472.1. Copies of all forms to be used for verification and guidelines for submitting such forms, including month and time verification intervals, shall be available through distribution by the State Police, from local law-enforcement agencies, and in a format capable of being downloaded and printed from a website maintained by the State Police. Persons required to register with last names beginning with A through L shall verify their registration information with the State Police from the first to the fifteenth of such person's verification months pursuant to subsection B, and persons required to register with last names beginning with M through Z shall verify their registration information with the State Police from the sixteenth to the last day of the month during such person's verification months pursuant to subsection B. The last name shall be the last name in the person's name pursuant to § 9.1-903 as it appears in the Registry. Those classified as Tier I or Tier II will be verified in person once a year and those convicted of a violation of § 18.2-472.1will be verified in person twice a year.
PENALTIES FOR NON-COMPLIANCE:	Any sex offender who knowingly fails to register or re-register, or who knowingly provides materially false information to the Sex Offender and Crimes Against Minors Registry for failure to comply with the registration required is punishable as provided in § 18.2-472.1.
ACCESS TO INFORMATION:	Section 9.1-914 authorizes the Central Criminal Records Exchange (CCRE) of the Virginia Department of State Police to electronically or mail to notify an individual conducting *Child Day Care or Child-Minding Services, institution of higher learning, STATE REGULATED or LICENSED child care institution, child day center, child day program, chirldren's residential facility, family day home, foster home or assisted living facility, nursing home or certified nursing facility and association of a common interest community of the registration of a sex offender residing within the same or contiguous zip code as the entitled organization or entity. Also, any person may request from the State Police and, upon compliance with the requirements therefore established by the State Police, shall be eligible to receive from the State Police electronic notice of the registration or re-registration of any sex offender, within three days of receipt.