

# GENERAL ORDER

NUMBER:

51.1



SUBJECT:

## SEX OFFENDER REGISTRATION ACT

ISSUE DATE:

JUL 26, 1996

RESCINDS:

DISTRIBUTION:

'A'

EFFECTIVE DATE:

JUL 26, 1996

TERMINATION DATE:

INDEFINITE

AMENDED DATE:

MAY 07, 2015

REFERENCES:

See Page 9

### PURPOSE:

To establish procedures which will enable the Department to fulfill its responsibilities as mandated by the Sex Offender Registration Act - 730 ILCS 150/1 et seq.

### PROCEDURE:

The Sex Offender Registration Act requires mandatory registering of certain convicted sex offenders and sexual predators, and establishes uniform procedures for implementation.

#### **I. Persons Required to Register Under the Sex Offender Registration Act (730 ILCS 150/1 et seq.)**

A. Persons convicted of any of the following sex offenses must register as specified in this Order (Refer to 730 ILCS 150/2[B][1]):

1. 720 ILCS 5/11-6, *Indecent Solicitation Of A Child*
2. 720 ILCS 5/11-9.1, *Sexual Exploitation Of A Child*
3. 720 ILCS 5/11-9/2, *Custodial Sexual Misconduct*
4. 720 ILCS 5/11-9.5, *Sexual Misconduct with a Person with a Disability*
5. 720 ILCS 5/11-14.4, *Promoting Juvenile Prostitution*
6. 720 ILCS 5/11-15.1, *Soliciting For A Juvenile Prostitute*
7. 720 ILCS 5/11-17.1, *Keeping A Place Of Juvenile Prostitution*
8. 720 ILCS 5/11-18.1, *Patronizing A Juvenile Prostitute*

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9. 720 ILCS 5/11-19.1, *Juvenile Pimping*
  10. 720 ILCS 5/11-19.2, *Exploitation Of A Child*
  11. 720 ILCS 5/11-20.1, *Child Pornography*
  12. 720 ILCS 5/11-25, *Grooming*
  13. 720 ILCS 5/11-26, *Traveling to Meet a Minor*
  14. 720 ILCS 5/12-13, *Criminal Sexual Assault*
  15. 720 ILCS 5/12-14, *Aggravated Criminal Sexual Assault*
  16. 720 ILCS 5/12-14.1, *Predatory Criminal Sexual Assault of a Child*
  17. 720 ILCS 5/12-15, *Criminal Sexual Abuse*
  18. 720 ILCS 5/12-16, *Aggravated Criminal Sexual Abuse*
  19. 720 ILCS 5/12-33, *Ritualized Abuse Of A Child*
- B. Persons convicted for a violation of the following sections of the Illinois Compiled Statutes, when the victim is a person under 18 years of age, the defendant is not a parent of the victim, the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act (20 ILCS 4026/10), and the offense was committed on or after January 1, 1996 (Refer to 730 ILCS 150/2[B][1.5]):
1. 720 ILCS 5/10-1, *Kidnapping*
  2. 720 ILCS 5/10-2, *Aggravated Kidnapping*
  3. 720 ILCS 5/10-3, *Unlawful Restraint*
  4. 720 ILCS 5/10-3.1, *Aggravated Unlawful Restraint*
- C. Persons convicted of *First Degree Murder* under Illinois Compiled Statutes 720 ILCS 5/9-1, when the victim was a person under 18 years of age and the defendant was at least 17 years of age at the time of the commission of the offense, provided the offense was sexually motivated

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as defined in Section 10 of the Sex Offender Management Board Act (20 ILCS 4026/10). (Refer to 730 ILCS 150/2[B][1.6]).

- D. Persons convicted of a violation or attempted violation of Illinois Compiled Statutes 720 ILCS 5/11-11 - *Sexual Relations within Families*, when the victim was a person under 18 years of age and the offense was committed on or after June 1, 1997 (Refer to 730 ILCS 150/2[B][1.8]).
- E. Persons convicted of *Child Abduction* under Illinois Compiled Statutes 720 ILCS 5/10-5[b][10], when committed by luring or attempting to lure a child under the age of 16 into a motor vehicle, building, house trailer, or dwelling place without the consent of the parent or lawful custodian of the child for other than a lawful purpose, and the offense was committed on or after January 1, 1998, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act (20 ILCS 4026/10). (Refer to 730 ILCS 150/2[B][1.9]).
- F. Persons convicted of a violation or attempted violation of any of the following Illinois Compiled Statutes, when the offense was committed on or after July 1, 1999 (Refer to 730 ILCS 150/2[B][1.10]):
  - 1. 720 ILCS 5/10-4, *Forcible Detention* - if the victim is under 18 years of age, provided the offense was sexually motivated as defined in Section 10 of the Sex Offender Management Board Act (20 ILCS 4026/10).
  - 2. 720 ILCS 5/11-6.5, *Indecent Solicitation of an Adult*
  - 3. 720 ILCS 5/11-15, *Soliciting for a Prostitute* - if the victim is under 18 years of age.
  - 4. 720 ILCS 5/11-16, *Pandering* - if the victim is under 18 years of age.
  - 5. 720 ILCS 5/11-18, *Patronizing a Prostitute* - if the victim is under 18 years of age.
  - 6. 720 ILCS 5/11-19, *Pimping* - if the victim is under 18 years of age.

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- G. A violation or attempted violation of Illinois Compiled Statutes 720 ILCS 5/11-9 - *Public Indecency*, for a third or subsequent conviction, when the offense was committed on or after August 22, 2002 (Refer to 720 ILCS 150/2[B][1.11]).
- H. A violation or attempted violation of Illinois Compiled Statutes 720 ILCS 150/5.1 - *Permitting Sexual Abuse of a Child*, when the offense was committed on or after August 22, 2002 (Refer to 720 ILCS 150/2[B][1.12]).
- I. Juveniles under the age of 18 convicted in criminal courts (not adjudicated in juvenile court) of any of the above listed offenses (Refer to 730 ILCS 150/2[A][5]).
- J. Any person convicted of attempting to commit any of the above listed offenses.
- K. Any person found not guilty by reason of insanity, or is the subject of a finding not resulting in an acquittal as defined in 730 ILCS 150/[A][1][b] through [f], of any of the above listed offenses.
- L. Any person convicted of a violation of any former law of the State of Illinois substantially equivalent to any of the above listed offenses.
- M. Persons convicted or adjudicated for a violation or attempted violation of Federal law, Uniform Code of Military Justice, or law of another State of foreign country that is substantially equivalent to any offense listed in Illinois Compiled Statutes 730 ILCS 150/2(B) (Refer to 730 ILCS 150/2[A][1][a]).
- N. Persons found to be "sexually dangerous persons" under the *Sexually Dangerous Person Act* (725 ILCS 205/1.01 et seq.) -, or any substantially similar Federal law, Uniform Code of Military Justice, or law of another state or foreign country.
- O. Persons found to be "sexually violent persons" under the *Sexually Violent Persons Commitment Act* (725 ILCS 207/5[F]), or any substantially similar Federal law, Uniform Code of Military Justice, or law of another state or foreign country (Refer to 730 ILCS 150/2[E][4]).

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- P. Persons found to be "sexual predators" under the Sex Offender Registration Act (730 ILCS 150/2[E]), or any substantially similar Federal law, Uniform Code of Military Justice, or law of another state or foreign country (Refer to 730 ILCS 150/2[E][4]).

## **II. Registration Parameters**

Convicted sex offenders or sexual predators mandated to register under the Sex Offender Registration Act must:

- A. Within three (3) days of their conviction or release from a corrections facility or other penal institution, register in person with the law enforcement agency of jurisdiction in which the offender resides.
- B. Within three (3) days of changing their residence address, notify in writing the law enforcement agency with which they last registered their new address.
- C. Within three (3) days of changing their residence, or if staying temporarily at a location other than their registered address and that temporary stay will exceed a total of three (3) aggregate days, register in person with the law enforcement agency having jurisdiction of the new or temporary residence address.
- D. Renew their registration with the law enforcement agency with whom they last registered, one year from the date of that registration, and every year thereafter.
- E. Report in person on a weekly basis to the law enforcement agency having jurisdiction over their current location, if the offender lacks a fixed permanent residence. The agency of jurisdiction will document each weekly registration, including all locations the person stayed during the past seven (7) days.
- F. Comply with all other reporting requirements established by current statutes.

## **III. Registration Procedure**

- A. Sex offenders and sexual predators who reside within the Department's jurisdiction and who are required to register under the Act will be required to report in

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person to the Public Information Desk to initiate the registration process. Registration shall only be conducted between 0800 and 2000 hours, Monday through Friday.

- B. When such an offender comes to the Public Information Desk, personnel will notify an On-Duty Criminal Investigation Bureau Supervisor, who shall assign an investigator to complete the registration process.
- C. The officer assigned shall complete an ***Incident/Offense Report*** utilizing "Information For Police" as the offense classification with an offense code of '7220', ***after*** completing the following steps:
  1. The officer will interview the subject and conduct computer inquiries to verify that the subject is a sex offender mandated to register under the Act. Verification would include state or federal criminal history responses which indicate convictions for qualifying sex offenses and/or an existing Law Enforcement Agency Data System (LEADS) caution file as a sex offender. All computer printouts containing such relevant information will be attached to the incident case report.
  2. Upon confirmation, obtain information necessary to complete the ***Sex Offender Registration Act - Registration Form*** (Refer to Appendix 'A').
    - a. The officer will then type or legibly print the requested information on the front of the form.
    - b. The officer will then have the offender sign and date the bottom of the front of the form.
    - c. The officer will then sign and date the bottom of the front of the form.
    - d. The officer will read each warning statement on the back of the form to the offender, and have the offender initial each statement.
    - e. The officer will then have the offender sign and date the bottom of the back of the form, acknowledging the warning statements have been

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explained and that they understand their obligations under the Act.

- f. The officer will then complete the requested information on the bottom of the back of the form and sign it.
3. The officer will take two (2) photographs of the registrant (head and shoulders area).
4. The officer will provide the offender with a photocopy of the completed form.
- D. The reporting officer will submit the following to the On-Duty Criminal Investigation Bureau Supervisor for review and approval:
  1. The original, signed and completed **Sex Offender Registration Act - Registration Form**. The original registration form must be retained until the requirements for the subject to register have expired.
  2. The original, completed **Incident/Offense Report** with computer printouts attached, and three (3) sets of photocopies of all documents.
  3. The two photographs of the registrant.
- E. The officer will fingerprint the registrant if it is the registrant's initial registration with this Department, and shall forward the fingerprints to the Illinois State Police.
- F. Whenever it is determined that a registered child sex offender is currently residing within 500 feet of a school, park, playground, or a facility providing services directed exclusively towards persons under 18 years of age, the officer shall complete a **Zone Violation Notice** form (Refer to Appendix 'B').
  1. The officer shall explain to the registrant that they are required to move from the listed residence within 30 days of the notice, and that failure to comply with the notice is a Class 4 felony offense.

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2. The **Zone Violation Notice** shall be signed by both the registrant and the officer, and a copy issued to the registrant.

#### **IV. Supervisor Responsibilities**

Upon receipt of documentation of a sex offender registration, the On-Duty Criminal Investigation Bureau Supervisor, or designee shall:

- A. Prepare a Sex Offender Registration File for each registrant, to be maintained within the records of the Criminal Investigation Bureau.
- B. Have all new and updated information relative to and provided by the registrant entered into LEADS as a Caution File within three (3) days.
- C. Mail one (1) photograph of each registrant to the Illinois State Police - SOR Unit. The photograph will have the offender's name, date of birth, race, gender and State Identification Number printed on the back.

#### **V. Documenting Contact with Sex Offenders**

In addition to the registration process, whenever an officer comes in contact with a registered sex offender, a LEADS Add-On entry shall be made through Northwest Central Dispatch System. Information in the LEADS Add-On should include:

- A. Date and time of incident;
- B. Specific location of contact;
- C. Reason for contact (e.g., traffic, suspicious activity);
- D. Officer's last name, star number, and agency name;
- E. Vehicle description;
- F. Names, addresses, and ages of vehicle occupants;
- G. Report number used to document the incident (if any);
- H. Any and all enforcement action taken; and



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I. Other miscellaneous information deemed appropriate.

#### VI. Dissemination of Sex Offender Registration Information

- A. Sex offender registration information may be disseminated to other law enforcement agencies when required for investigative purposes.
- B. Dissemination of any information obtained under this Act and/or contained in the Sex Offender Registration File to the public shall be in accordance with applicable laws, and the provisions specified in General Order #82.2 - *Community Notification Laws*.

#### REFERENCES:

##### **Illinois Compiled Statutes -**

- 20 ILCS 4026/10 et seq. - Sex Offender Management Board Act
- 720 ILCS 5/1-1 et seq. - Illinois Criminal Code
- 730 ILCS 150/1 et seq. - Sex Offender Registration Act
- 725 ILCS 205/0.01 et seq.- Illinois Sexually Dangerous Persons Act
- 725 ILCS 207/1 et seq. - Sexually Violent Persons Commitment Act

##### **Arlington Heights Police Department Operations Manual -**

- General Order #82.2 - Community Notification Laws

#### APPENDIXES:

- 'A' - Sex Offender Registration Act - Registration Form
- 'B' - Zone Violation Notice Form

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**APPENDIX 'A' - SEX OFFENDER REGISTRATION ACT - REGISTRATION FORM  
(FRONT SIDE)**

ILLINOIS SEX OFFENDER REGISTRATION ACT REGISTRATION FORM					
<input type="checkbox"/> Juvenile Delinquent <input type="checkbox"/> Sex Offender <input type="checkbox"/> Sexually Dangerous/Violent <input type="checkbox"/> Sexual Predator <input type="checkbox"/> Murder, victim under 18 <input type="checkbox"/> Murder, victim 18 or over					
Photo Required (PLEASE TYPE OR PRINT USING BLACK INK)					
Initial Registration: <input type="checkbox"/>	Annual: <input type="checkbox"/>	Quarterly: <input type="checkbox"/>	Homeless Weekly: <input type="checkbox"/>	Change of Address: <input type="checkbox"/>	School: <input type="checkbox"/> Employment: <input type="checkbox"/>
Last Name:		First Name:		Middle Name:	
DOB:		Sex:		Race:	
Resident Address:		City:		State:	
ZIP:		County:		Housing Type:	
Secondary Address:		Telephone:		Cell Phone:	
SSN:		Scars/Marks/Tattoos:		Hgt:	
Wgt:		Hair:		Eyes:	
Aliases:		DNA: <input type="checkbox"/> Yes <input type="checkbox"/> No		FBI:	
SID:		LEADS #:		DOC #:	
Chicago IR #:		Misc #:		DLN:	
DLN State:		DLN Expiration Date:		Vehicle Make:	
Model:		Year:		License Plate #:	
VIN#:		Color:		Date of Conviction / Adjudication:	
County of Conviction:		State of Conviction:		Offense:	
Statute:		Citation Code:		Sentence:	
Probation Officer:		Probation Officer Telephone:		Age of Victim(s) at Time of Offense:	
Age of Offender at Time of Offense:		Email Address:		Instant Messaging Identities:	
Blog / Chat Room Identities:		Other Internet Communication Identities:		Uniform Resource Locator (URL):	
Internet Protocol (IP) Address:		Internet Sites Maintained by Individual:		Internet sites to which individual uploaded any content or posted any message or information:	
Employer's Name:		Employed Since:		Employer's Address:	
Employer's Phone Number:		City:		State:	
ZIP:		County:		School/Institution of Higher Education Name:	
Date Enrolled:		School Address:		City:	
State:		ZIP:		County:	
Registering Official's Signature		Date		Signature of Registrant	
Date		Date		Date	

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NOTE: Size of the **Sex Offender Registration Act - Registration Form** (Front Side) has been reduced for purposes of documentation in this Order.

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**APPENDIX 'A' - SEX OFFENDER REGISTRATION ACT - REGISTRATION FORM  
(BACK SIDE)****DUTY TO REGISTER. READ FOLLOWING TO OFFENDER and OFFENDER MUST INITIAL EACH.**

- You must renew your registration, in person, with the law enforcement agency having jurisdiction, within one year from the date of your most recent registration until your expungement date. If you have been convicted of a violation of this Act after July 1, 2005 you must register in person no later than 90 days after the date of your last registration and every 90 days thereafter for the remainder of your registration requirement.
- If you are an offender identified as a sexual predator you must register in person every year for the period of your natural life.
- If you are an offender with a finding or adjudication as a sexually dangerous person or as a sexually violent person you are required to report in person to the law enforcement agency having jurisdiction within 90 days of your initial registration and every 90 days thereafter for the period of your natural life.
- Failure to comply with the provisions of the Sex Offender Registration Act is a Class 3 felony. A second or subsequent conviction for violation of this Act is a Class 2 felony. Failure to comply with any provisions of the Act mandates revocation of probation, mandatory supervised release, parole, or conditional release.
- Any person who is required to register under this Act who knowingly or willfully gives material information required by this Article that is false is guilty of a Class 3 felony.
- The term of registration will be administratively extended by the Illinois State Police 10 years for failure to comply with any provisions of the Act.
- You must register within 3 days of conviction when sentenced to probation or upon release, parole, or discharge from prison or mental hospital. Reconfinement due to violation of parole or other circumstances which relate to the original conviction or adjudication shall extend the period of registration to 10 years after final parole, discharge or release. You must register, in person, with the police department, or if none, the sheriff's office having jurisdiction where you reside for a period of 10 years.
- You must register your employment or school information within 3 days of obtaining employment or attending a school. All changes to employment or school status must be registered within 3 days of the change.
- Any person required to register under this Act who lacks a fixed residence must notify the agency with jurisdiction of the last known address within 3 days after ceasing to have a fixed residence and if the offender leaves the last jurisdiction of residence, the offender must within 3 days after leaving, register in person with the new agency of jurisdiction and must report weekly in person with the agency having jurisdiction.
- If you attend a school, post secondary, trade, professional institution, institution of higher education or are employed in another state, you must register in both states within 3 days of beginning school or employment. All changes of school status (commencement or termination), and employment must be reported within 3 days of change.
- If you attend and/or are employed at an institution of higher education, you must register, in person, with the jurisdiction of residence and jurisdiction where the institution of higher education is located within 3 days of beginning school or employment. All changes of status in enrollment and or employment at an institution of higher education (commencement, termination and any and all changes) must be reported in person within 3 days of changes with both agencies of jurisdiction.
- An out-of-state student and/or out-of-state employee residing in another state but attending school/institution of higher education, and/or employed in Illinois, must register within 3 days of beginning school or employment with the agency of jurisdiction where the school/institution of higher education or employment is located.
- Within 3 days of changing your address, you must report your new address in person with the law enforcement agency with whom you last registered. You must, within 3 days of changing your address, register in person with the police department or if none, the sheriff's office having jurisdiction at your new address. Temporary absences for more than 3 days in a calendar year require you to register your new address.
- If you move to another state, you must register with that state within 3 days. You must notify the agency with whom you last registered in person of your new address, at least 3 days before moving.

Failure to register is a criminal offense and will extend my registration period 10 years from my next registration, if not already subject to lifetime registration.

Under the Adam Walsh Child Protection and Safety Act of 2006, 18 United State Code § 2250, if you travel to another state and fail to register as required, you are also subject to federal prosecution that carries penalties of a fine and/or imprisonment up to 10 years.

If you are a child sex offender, you understand that according to Illinois law, you may not reside within 500 feet of a school, park, or playground. You may also not reside within 500 feet of a facility providing services directed exclusively toward persons under 18 years of age. The only exception is if you, the child sex offender, owned the property before July 7, 2000.

I HAVE READ AND/OR HAD READ TO ME, THE ABOVE REQUIREMENTS. IT HAS BEEN EXPLAINED TO ME AND I UNDERSTAND MY DUTY TO REGISTER NEXT ON OR BEFORE \_\_\_\_\_. All ending registration dates will be determined by the Illinois State Police. To verify the ending registration date, contact the ISP SOR Unit at 217/785-0653 or mail correspondence to the address listed below.

Signature of Registrant \_\_\_\_\_ Date \_\_\_\_\_

Sex offender must sign both page 1 and page 2 for registration to be considered valid.

Registering Official's Name (Print) \_\_\_\_\_

Registering Agency: \_\_\_\_\_

Address: \_\_\_\_\_

City, ZIP, County: \_\_\_\_\_

Registering Official's Signature: \_\_\_\_\_

Registering Official's Phone Number: \_\_\_\_\_

Illinois State Police, SOR Unit, 801 South 7<sup>th</sup> Street, Suite 200 S, Springfield, Illinois 62794, phone: (217) 785-0653 fax: (217) 782-4996

One copy to Sex Offender

One copy to Illinois State Police

Retain Original for your files

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Fingerprints should be taken at the initial registration and any subsequent registration in a new jurisdiction.

**NOTE:** Size of the **Sex Offender Registration Act - Registration Form** (Back Side) has been reduced for purposes of documentation in this Order.

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**APPENDIX 'B' - ZONE VIOLATION NOTICE FORM****ARLINGTON HEIGHTS POLICE DEPARTMENT****ZONE VIOLATION NOTICE**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

The above subject, \_\_\_\_\_, has been notified that he/she is in violation of 720 ILCS 5/11-9.3 – *Presence/Residing within School Zone by Child Sex Offenders Prohibited* and/or 720 ILCS 5/11-9.4 – *Residing within Certain Places by a Child Sex Offender Prohibited*.

These statutes prohibit a child sex offender from residing within 500 feet of a school, park, playground, child care institution, day care center, part day child care facility, day care home, group day care home, or a facility providing programs or services exclusively directed towards persons under 18 years of age.

The subject is hereby informed that he/she is required to move from the above residence within 30 days of this notice. Failure to comply with this notice is a Class 4 felony offense and will result in the arrest and prosecution of the above named subject.

**I have read and/or had read to me, the above notice. It has been explained to me and I understand that failure to comply with this notice is a felony offense.**

Notified By: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Person Notified: \_\_\_\_\_

Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE:** Size of the **Zone Violation Notice Form** has been reduced for purposes of documentation in this Order.