

## Sex Offender Registration Requirements

Sex offender registration is a system designed to allow government authorities to keep track of the residence and activities of convicted sex offenders, including those who have completed their criminal sentences. In most jurisdictions, information in the registry is made available to the general public via a website or other means. Although the military does not maintain its own sex offender registry of convicted sexual offenders, Department of Defense instructions requires that military corrections facilities notify individual states of the release of service members if they were convicted of a sexual offense.

Each of the 50 states and the District of Columbia now maintain a registry of convicted sexual offenders. For a service member convicted at court-martial for sexual offense, the regular reporting requirements of the individual states can last for many years after the sentence and other punishment is completed, sometimes even for life. Because of the duration of these requirements, and the stigma attached to the public notification and access to this type of criminal record, the requirement to register for a sexual offense conviction is often one of the most

Substantial and adversial parts of the sentence imposed.

For a convicted service member preparing to separate from the military for this type of offense, it is crucial that the state-specific laws regarding these registration requirements are understood and followed. Oftentimes, compliance with court agreement or order requires strict adherence to these requirements and failure to follow these rules accurately can result in additional charges in state, federal, or military courts. Any service member facing court-martial needs to know consequences of conviction, with regard to these requirements and should be advised with regard to the specific state laws for registration which will be imposed after conviction. These considerations should also be analyzed during pre-trial preparation and negotiations between the defense and the



## Examples of Possible Requirements

- Notifications of residence and change of address.
- Public access to name, address, and convictions.
- Prohibitions against living near schools, playgrounds, or areas where children and families gather.
- Requirements to notify local jurisdictions when traveling for leisure or education.
- Prohibitions against living in settings where children are present.
- Prohibitions from involvement in recreational activities or locations where children are participating.
- Regular updates to probation officials or law enforcement agencies regulating these requirements and registries.

## **Post Court-Martial Conviction**

Conviction for a sexual crime under the UCMJ at court-martial will often require the accused to register as a sexual offender upon completion of confinement awarded at court-martial. These registration requirements are determined by each state, within federal guidelines.

The attorneys at Military Justice International recommend that qualified civilian counsel be retained and recommended for military members seeking professional legal advice in the state-specific area of post-military conviction sex offender registration requirements.

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Conviction  
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