

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
PAROLE DIVISION**



**POLICY AND
OPERATING PROCEDURE**

NUMBER: PD/POP-3.6.4

DATE: September 1, 2021

PAGE: 1 of 16

SUPERSEDES: August 1, 2019

SUBJECT: SEX OFFENDER REGISTRATION PROGRAM

AUTHORITY: TEXAS CODE OF CRIMINAL PROCEDURE, CHAPTER 62; TEXAS GOVERNMENT CODE § 508.186; TEXAS PENAL CODE, CHAPTER 15

PURPOSE: To establish procedures for sex offender registration.

PROCEDURES:

I. REGISTRATION CRITERIA

- A. An offender who has a reportable sex offense conviction, deferred adjudication, or adjudication on or after September 1, 1970, has a duty to register. The following Penal Code offenses are incorporated in the registration law:
1. 20.02, 20.03, 20.04 Unlawful Restraint, Kidnapping, or Aggravated Kidnapping, and the judge made an affirmative finding that the victim or intended victim was younger than 17 years of age;
 2. 20.04 (a) (4) Aggravated Kidnapping with intent to violate or abuse the victim sexually;
 3. 20A.02 (3), (4), (7), or (8) Trafficking of Persons for offenses committed on or after September 1, 2011;
 4. 20A.03 Continuous Trafficking of Persons, (if based on conduct that constitutes an offense under Section I.A.3.);
 5. 21.02 Continuous Sexual Abuse of Young Child or Children;

6. 21.08 Indecent Exposure (second violation, but only if the second violation did not result in deferred adjudications);
7. 21.09 Bestiality;
8. 21.11 Indecency with a Child;
9. 22.011 Sexual Assault;
10. 22.021 Aggravated Sexual Assault;
11. 25.02 Prohibited Sexual Conduct;
12. 30.02 (d) Burglary, if of a habitation with intent to commit a felony listed in Section I.A.2, 5, 7–11;
13. 33.021 Online Solicitation of a Minor;
14. 43.02(c-1)(2) Prostitution, if solicitation of a person under 18 years of age for offenses committed on or after September 1, 2019;
15. 43.02(c-1)(3) Prostitution, if solicitation of a person under 18 years of age;
16. 43.021(b)(2) Solicitation of Prostitution, if solicitation of a person under 18 years of age, for offenses committed on or after September 1, 2021;
17. 43.04 Aggravated Promotion of Prostitution, for offenses committed on or after September 1, 2019;
18. 43.05 Compelling Prostitution;
19. 43.25 Sexual Performance by a Child;
20. 43.26 Possession or Promotion of Child Pornography;
21. An attempt, conspiracy, or solicitation to commit an offense or engaged in conduct listed in Section I.A.1-5, 7-12, 14-20 above;
22. Adjudication for juvenile delinquent conduct for the above offenses;
23. Conviction under the laws of another state, a foreign country, federal law, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of the offenses listed above, excluding deferred adjudications. The Texas Department of Public Safety (DPS) shall make the determination of substantially similar offenses; and
24. Second violation under the laws of another state, a foreign country, federal law, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of indecent exposure, but only if the second violation did not result in deferred adjudication.

NOTE: Some Penal Code section titles have been renamed since 1970, but the Penal Code section numbers have not changed over time. Officers shall apply the registration requirement to the Penal Code section number, not the title. For example, Penal Code 25.02 was originally entitled “Incest” and later changed to “Prohibited Sexual Conduct.”

- B. If an offender meets the criteria for sex offender registration and does not have Special Condition “M,” within (10) business days of the offender’s release or determining the offender is required to register, the officer shall submit an email to the Specialized Programs Sex Offender Parole officer IV or designee for review and further action, ensuring supporting documents are imaged in OnBase.
- C. If it is determined that the offender is statutorily required to register, the Specialized Programs Sex Offender Parole officer IV or designee shall enter the statutorily mandated Special Condition “M” into the Offender Information Management System (OIMS) and notify the supervising officer.
- D. If it is determined that an offender’s duty to register has expired and the offender has Special Condition “M,” the parole officer shall submit supporting documents within 10 business days to the Specialized Programs Sex Offender Parole officer IV or designee to review. Supporting documents shall include the discharge date of the sex offense.

II. REGISTRATION PROCESS FOR OFFENDERS

- A. Upon release from prison, an Intermediate Sanction Facility (ISF), or county jail, the offender shall report to the designated local law enforcement authority and provide proof of identity and residence not later than the seventh calendar day after release or the first date the local law enforcement authority allows the offender to register.

Offenders residing within the city limits shall register with the local police department; whereas, offenders who reside outside the city limits shall register with the local sheriff’s department. If the commissioner’s court has designated a centralized registration authority for a county or city, the offender shall report to that location.

- B. The offender shall verify that the information sent by the Texas Department of Criminal Justice (TDCJ)-Correctional Institutions Division (CID) is complete and accurate and shall sign the DPS Sex Offender Registration Program Form (CR-35) in the presence of the law enforcement authority. If the information is not complete and accurate, the offender shall provide any necessary additions or corrections before signing the CR-35.
- C. A sex offender who is employed, carries on a vocation, or is a student at a public or private institution of higher education, shall report that fact to the appropriate authority for Campus Security not later than the seventh calendar day after the date on which the offender begins to work or attend the school. The supervising officer shall verify that the offender has registered within the specific time frame. The offender shall notify the Campus Security and local law enforcement not later than the seventh calendar day after terminating as a worker or student. See [PD/POP-3.6.2, Sex Offender Program Supervision Guidelines](#), for further instructions regarding allowing offenders to attend an institution of higher education.

- D. Offenders shall attempt to obtain written verification from local law enforcement each time they have registered or verified registration.

The officer shall document the verification in the OIMS within three business days as required in section XV.B of this policy.

- E. Offenders shall immediately notify the facility's administration of their presence and registration status if they enter the premises of an elementary or secondary school or daycare center during standard operating hours.

III. REGISTRATION PROCESS FOR OFFENDERS CHANGING RESIDENCE AND STATUS CHANGES

- A. Not later than the seventh calendar day before the offender intends to move, the offender shall report in person to the local law enforcement authority with whom the offender last registered and to the parole officer to provide the anticipated move date and new address. Once the offender moves to the new address, the offender shall report in person within seven calendar days or not later than the first date the law enforcement authority allows the offender to register or verify registration, and provide proof of identity and proof of residence.
- B. If an offender does not move as anticipated, the offender shall report in person not later than the seventh calendar day after the anticipated move date to the parole officer and to the local law enforcement authority with whom the offender last registered, providing both with an explanation regarding any changes in the move date and intended residence. Until the offender moves to the new or permanent address, the offender shall report no less than once a week to the parole officer.
- C. If an offender resides more than seven calendar days at a location where a governmental agency has not assigned a physical address or becomes homeless, the offender shall report to the sex offender registration verifying agency not less than once in each 30-day calendar period to confirm and provide a detailed description of the location(s). In accordance with [PD/POP-3.9.1, Residential Reentry Center Placements](#), sex offenders shall be processed for emergency placement. Until a residence or residential reentry placement is secured, the offender shall report to the district parole office (DPO) daily during regular business hours.
- D. If an offender moves to another state that has a sex offender registration requirement, the offender shall register with the designated law enforcement authority in that state not later than the 10th calendar day after arriving in that state.
- E. Offenders subject to sex offender registration shall report all status changes to local law enforcement.

IV. REGISTRATION REQUIREMENTS FOR OFFENDERS WHO TRAVEL OR ATTEND SCHOOL

- A. A sex offender who is a resident of Texas and subject to registration, who works, volunteers, or attends school in another state for a consecutive period exceeding 14 days or for an aggregate period exceeding 30 days in a calendar year, shall, not later than the 10th calendar day after the offender begins working or attending school, register with that state's local law enforcement authority.
- B. When the offender no longer works or attends school in that state, the offender, not later than the seventh calendar day after he stops working or attending school, shall inform the local law enforcement authority. Local law enforcement will verify the information and will notify the offender that the duty to register in that state as a worker or student has expired.
- C. Offenders who visit locations on at least three occasions during any month and spend more than 48 consecutive hours in a municipality or county, other than the area in which they are registered, shall notify the local law enforcement authority and provide all information that is required under the registration statute before the last day of the month.
- D. An offender who intends to be employed, carry on a vocation, or be a student at a public or private institution of higher education in another state shall report that fact to the Campus Security authority (if an authority for Campus Security exists at the institution), not later than the seventh calendar day after the date on which the offender begins to work or attend school.
- E. An offender may not reside on the campus of a public or private institution of higher education unless the offender has a Static 99 or Static 99R risk level of Low, and the institution approves the offender to reside on campus.

V. FREQUENCY OF REGISTRATION VERIFICATION

- A. Offenders who received deferred adjudication or were convicted of a sexually violent offense two or more times shall report to the local law enforcement authority with whom they are required to register, not less than once every 90 calendar days from the date they first registered, and shall verify that the information on the CR-35 is still correct.

To be considered convicted "two or more times" does not require that the conviction be on different days or with different cause numbers. A single court appearance resulting in a plea/conviction on multiple counts or cause numbers or two counts with one cause number qualifies an offender for the 90 day verification requirement. The offender is required to register with local law enforcement not earlier than seven calendar days before and not later than seven calendar days after the 90th day. Offenders who require 30 day verification shall do so any time after the 27th day, but before the 33rd day after the last verification.

The following offenses, under the Penal Code, are statutorily defined as sexually violent offenses if committed by a person 17 years of age or older:

1. 20.04 (a) (4) Aggravated Kidnapping with intent to violate or abuse the victim sexually;
2. 21.02 Continuous Sexual Abuse of Young Child or Children;
3. 21.11 (a) (1) Indecency with a Child by Contact;
4. 22.011 Sexual Assault;
5. 22.021 Aggravated Sexual Assault;
6. 30.02 (d) Burglary, if of a habitation with intent to commit a violation of an offense listed in Section I.A.2, 5, 7–11;
7. 43.25 Sexual Performance by a Child; and
8. Conviction under the laws of another state, a foreign country, federal law, or the Uniform Code of Military Justice for an offense containing elements that are substantially similar to the elements of the offenses listed above as determined by the DPS.

- B. Offenders with a single, reportable sex offense conviction or deferred adjudication are required to report annually to the local law enforcement authority with which they are registered.

Annual verification shall be completed once each year, not earlier than the 30th day before and not later than the 30th day after the offender’s date of birth.

- C. Offenders who have been civilly committed as sexually violent predators shall verify registration not less than once each year, if residing in a civil commitment center.

For those who are residing in the community, they shall verify registration every 30 calendar days from the date they first registered or the date they moved from a civil commitment center.

- D. Offenders registering based solely on a juvenile adjudication shall register annually for 10 years post-discharge, regardless of the number of juvenile adjudications.

- E. In the event an offender has an order deferring or exempting sex offender registration or other court documents indicating registration does not apply, the order shall be sent, via email, to the Specialized Programs Sex Offender Parole officer IV within 10 business days for further action.

VI. EXPIRATION OF DUTY TO REGISTER

- A. Lifetime registration is required for convictions or deferred adjudications under the following Penal Codes:
1. Sexually violent offenses as listed in Section V.A.;
 2. 20.02, 20.03, 20.04 Unlawful Restraint, Kidnapping, or Aggravated Kidnapping, and the judge made an affirmative finding that the victim or intended victim was younger than 17 years of age **and** the offender has another reportable sex offense conviction or deferred adjudication (other than a juvenile adjudication);
 3. 20A.02 (a) (3), (4), (7), or (8) Trafficking of Persons;
 4. 20A.03 Continuous Trafficking of Persons, (if based on conduct that constitutes an offense under Section I.A.3.);
 5. 21.11 (a) (2) Indecency with a Child by Exposure **and** the offender has another reportable sex offense conviction or deferred adjudication (other than a juvenile adjudication);
 6. 25.02 Prohibited Sexual Conduct;
 7. 43.05 (a) (2) Compelling Prostitution;
 - a. Offense committed on or before August 31,2009, and the victim was under 17 years of age at the time of the offense; or
 - b. Offense committed on or after September 1,2009, and the victim was under 18 years of age at the time of the offense.
 8. 43.26 Possession or Promotion of Child Pornography; and
 9. An offense under the laws of another state, a foreign country, federal law, or the Uniform Code of Military Justice if the offense contains elements that are substantially similar to the elements of one of above offenses, as determined by the DPS.

[Chapter 62, Code of Criminal Procedure \(CCP\)](#), indicates a conviction for Penal Code 43.23(h), Obscenity, requires a lifetime duty to register. However, this offense is not listed as a reportable sex offense in the CCP. Only reportable sex offenses require registration; therefore, offenders who have an Obscenity conviction and no other reportable sex offense will not be required to register, and Special Condition “M” shall not be requested.

Offenders who have been adjudicated of delinquent conduct or who were convicted while they were a juvenile under the aforementioned Penal Codes do not qualify for lifetime registration. By law, they register for 10 years post-discharge.

- B. Ten years post-discharge from the sex offense applies to offenders with the following convictions, deferred adjudication, or adjudications:
1. 20.02, 20.03, 20.04 Unlawful Restraint, Kidnapping, or Aggravated Kidnapping, and the judge made an affirmative finding that the victim or intended victim was younger than 17 years of age;
 2. 21.08 Indecent Exposure (second conviction or thereafter);
 3. 21.09 Bestiality;
 4. 21.11 (a) (2) Indecency with a Child by Exposure;
 5. 33.021 Online Solicitation of a Minor;
 6. 43.02(c-1)(2) Prostitution, if solicitation of a person under 18 years of age for offenses committed on or after September 1,2019;
 7. 43.02(c-1)(3) Prostitution, if solicitation of a person under 18 years of age;
 8. 43.021(b)(2) Solicitation of Prostitution, if solicitation of a person under 18 years of age, for offenses committed on or after September 1, 2021;
 9. 43.04 Aggravated Promotion of Prostitution, for offenses committed on or after September 1, 2019;
 10. 43.05 (a) (1) Compelling Prostitution;
 11. Adjudicated of delinquent conduct or convicted when the offender was a juvenile;
 12. Attempt, Conspiracy, or Solicitation, as defined by Chapter 15 of the Penal Code, to commit a reportable offense; and
 13. An offense under the law of another state, a foreign country, federal law, or the Uniform Code of Military Justice if the offense contains elements that are substantially similar to the elements of one of the above offenses as determined by the DPS.
- C. The duty to register for an offender who is required to register based solely on the imposition of Special Condition “M” ends upon the offender’s discharge from the jurisdiction of TDCJ-Parole Division.

VII. FAILURE TO COMPLY WITH REGISTRATION FOR OFFENDERS

If a sex offender fails to comply with registration requirements, the parole officer shall submit a Violation Report in accordance with applicable procedures (refer to [PD/POP-4.1.1, *Processing Violations of the Rules and Conditions of Release*](#)).

VIII. REGISTRATION PROCESS FOR TDCJ

- A. Offenders subject to registration shall be notified by the TDCJ-CID or the ISF officer regarding their registration obligations via the DPS Pre-Release Notification Form (CR-32).
- B. The TDCJ-CID shall complete the CR-32, CR-35, and the Sex Offender Registration Program Offense Supplemental Registration Form (CR-35OS), if applicable, for those offenders released from prison. The TDCJ-CID shall send the completed aforementioned forms to the local law enforcement authority in the city of residence noted in the offender's Release Plan and to DPS Crime Records Service or the receiving state (if applicable). Copies of the forms shall be provided by the TDCJ Classification and Records Office, if completed prior to release, and then scanned into the OIMS by the Huntsville Placement and Release Unit. Forms completed post release shall be scanned into the OIMS by the supervising officer or designee.
- C. When an offender is released from an ISF, a new CR-32 shall be completed by the ISF officer and sent to the supervising parole office and the agency with whom the offender will be registering.

After the offender is released from an ISF or county jail, the supervising parole officer shall complete a Notice of Sex Offender Registration Status Change form (SP-9916) and make a copy of the CR-35 located in the file. The SP-9916 and the copy of the CR-35 shall be sent to the applicable local law enforcement agency within three calendar days of the offender's release. If the offender will not be registering with the local law enforcement agency with whom he was registered prior to the ISF placement, the officer transferring the file shall send a completed SP-9916 to the previous law enforcement agency, notifying the agency of the offender's release and specifying the law enforcement agency with which the offender will be registering.

- D. District and institutional parole officers will be responsible for the completion of the CR-32, CR-35, CR-35OS (if applicable), photo, and fingerprints for offenders who will be released on Parole-in-Absentia (PIA). For additional information on the registration process for PIA cases, refer to [PD/POP-2.4.2, *Processing Releases from Detention Facilities Other Than the Texas Department of Criminal Justice—Correctional Institutions Division \(CID\)*](#).
- E. If the supervising parole officer does not receive the sex offender registration paperwork in the OIMS, the parole officer shall complete the CR-32, CR-35, CR-35OS (if applicable), photo, fingerprints, and distribute them accordingly on the day the offender initially reports, or within seven calendar days of the date the officer receives notice that the offender is required to register.

Officers shall use the DPS Sex Offender Registration Manual (CR-31) when completing the forms. A copy can be obtained from the Parole Division Document Library or by contacting the DPS at 512-424-2800.

- F. The CR-32 shall be faxed to the DPS Sex Offender Compliance Unit at 512-424-5434, and the original shall be mailed to DPS Crime Records Service, P.O. Box 4143, Austin, Texas, 78765. The officer shall provide a copy to the offender and the appropriate local law enforcement authority and place a copy in the district file. The officer shall complete the CR-35 and mail the top page (white copy) to the DPS and the second page (yellow copy) shall be sent to the local law enforcement agency. A copy shall be placed in the offender's district file. The local law enforcement agency is responsible for submitting the second page (yellow copy) to the DPS Crime Records Service.
- G. Offenders with a sex offense conviction under another state, a foreign country, federal law, or the Uniform Military Code of Justice, require a review by the DPS to determine if the elements of the sex offense are substantially similar to a Texas reportable sex offense. Offenders with a temporary State Identification Number (SID#) starting with 922 will not be entered on the DPS website until a permanent SID# has been assigned. Officers shall reference [PD/POP-3.10.1, Fingerprinting Interstate Compact Offenders](#), with regard to obtaining a permanent SID# for "To Texas" cases.

If the DPS determines that an out-of-state offense does not have a Texas offense comparison, and the sending state requires registration as a condition of supervision or is required to register by the sending state's statute, the offender shall register only as an Interstate Compact case. The supervising officer shall not request Special Condition "M" in these cases.

- H. If the offender is registering based solely on the imposition of Special Condition "M," and the Texas Board of Pardons and Paroles (BPP) denies the request to withdraw the condition, the officer shall enter eight zeros in the eight-digit code in the "Penal Code" and "Registering Texas Offense" sections and leave the victim information blank on the CR-32 and CR-35.
- I. If the offender is statutorily required to register for a discharged sex offense, the parole officer shall list the sex offense with the correct National Crime Information Center (NCIC) code, enter the applicable victim information, and the date the offender discharged the sex offense. The CR-35OS may also be used for additional sex offense information.
- J. The law does not require law enforcement agencies to provide the offender with written verification of registration. In the event the law enforcement agency does provide written verification, the parole officers shall obtain a copy of the initial and subsequent registration receipt from the offender, place a copy in the district file, and document the verification in the OIMS. In the event that local law enforcement does not provide written verification to the offender, the parole officer shall obtain verification that the offender has registered via written documentation or collateral contact with local law enforcement. Verification of sex offender registration shall be documented in the Registration Verifications screen in the OIMS within seven calendar days as required in section XV.B of this policy.

- K. Not later than 30 calendar days after the offender has verified registration with local law enforcement, the officer shall check the DPS website at <https://publicsite.dps.texas.gov/SexOffenderRegistry> or use the DPS secured website to verify the information is reported accurately. The officer shall document the verification in the DPS Verifications screen in the OIMS. Within three calendar days of determining that any information is incorrectly reported, the parole officer shall send local law enforcement an SP-9916 with the correct information.

IX. OFFENDER CHANGES IN RESIDENCE

- A. Not later than three calendar days after receiving notice of an offender's intent to move, the parole officer shall complete an SP-9916, indicating the offender's plan to move, and forward it to the local law enforcement authority with whom the offender last registered and to the local law enforcement authority in the new city (if applicable).
- B. In the event an offender becomes homeless, as defined in [PD/POP-3.9.1, Residential Reentry Center Placements](#), the officer shall exhaust all housing options to include the approved alternate housing list.
- C. If an offender is homeless or does not reside at a physical address, the supervising officer shall submit an SP-9916 to local law enforcement with a detailed description of each geographical location where the offender resides or intends to reside. In accordance with PD/POP-3.9.1, *Residential Reentry Center Placements*, sex offenders shall be processed for emergency placement. Until a residence or residential reentry placement is secured, the offender shall report to the DPO daily during regular business hours.

X. OFFENDER STATUS CHANGES

- A. Upon becoming aware that an offender's status has changed in any manner that affects proper supervision of the offender, the supervising officer, as required by law, shall promptly notify in writing the appropriate local law enforcement authority of that change, not later than seven calendar days after the status change. The officer shall use the SP-9916 to report such changes. A new CR-35 is not required. Changes in an offender's status include, but are not limited to:
1. The offender's name;
 2. Online identifiers;
 3. Physical health, such as death or hospitalization);

If the offender is deceased, the parole officer shall submit an SP-9916 and one of the following documents in order to confirm the offender's death to local law enforcement:

- a. Postmortem fingerprints.

- b. Original, certified death certificate issued by the Texas Department of State Health Services, Vital Statistics (Austin HQ) or a local county Vital Statistics Department.
 - c. Original, certified verification letter. This letter shall be provided by the County Clerk's Office with an original ink stamp or embossed seal on the paper and shall include the offender's full name, date of birth, sex, race, date of death, and the last four digits of the offender's Social Security number.
 - d. Photocopy of the death certificate issued by the Texas Department of State Health Services, Vital Statistics (Austin HQ) or local county Vital Statistics Department with a letter of verification.
 - e. Letter of death verification/validation obtained from the Office of the Inspector General (OIG), Vital Statistics Fraud Unit, or Texas Health and Human Services.
 - f. "Reported Deceased" status on the subject's Texas Driver's License or Identification Card History from the Texas Crime Information Center (TCIC) Driver's License System Status Check or History Check.
 - g. Order terminating defendant's probation for the reason that the defendant is deceased.
4. Job or educational status, including traveling requirements, work being done in neighborhoods, changes in or discontinuation of employment, or changes in the employer's address;
 5. Higher educational status, including becomes employed, begins to carry on a vocation, becomes a student at a public or private institution of higher education, or terminates the person's status in that capacity;
 6. Incarceration including, ISF placement, revocation, new offense, pre-revocation warrant;
 7. Terms of release including, child restrictions, photographic/video/computer equipment restrictions, discharged; or
 8. Any other information that is listed on the CR-32 or CR-35.

The integrity of the DPS public website depends on the proper notification of status changes. By statute, when an offender is under supervision, the supervising officer and the offender are responsible for reporting those changes to the local law enforcement authority.

- B. The supervising officer or designee shall image the SP-9916 into the offender's OIMS record for discharged cases.

- C. Once an offender is discharged from supervision and the offender is statutorily required to continue to register post discharge for a lifetime or a 10-year post discharge offense, it is the offender's responsibility to report to the registering agency any changes in status no later than seven calendar days after the date of change.
- D. The supervising officer shall enter the date the SP-9916 was distributed to local law enforcement in the Status Change section of the Sex Offender Registration screen in the OIMS.

XI. RISK LEVEL

- A. Offenders who are statutorily required to register are required to have a risk level. Institutional parole officers or the Sex Offender Rehabilitation Program staff shall complete the risk assessment for those who are required by statute to register. The risk assessment shall be completed by a person certified to use the instrument.
- B. The levels of risk are low, moderate, high, or civil commitment. The levels are described as a designated range of points on the sex offender screening tool indicating that the person:
 - 1. Low—poses a low danger to the community and will not likely engage in criminal sexual conduct.
 - 2. Moderate—poses a moderate danger to the community and may continue to engage in criminal sexual conduct.
 - 3. High—poses a serious danger to the community and will continue to engage in criminal sexual conduct.
 - 4. Civil Commitment—A repeat, sexually violent predator who suffers from a behavioral abnormality, which makes the person likely to engage in a predatory act of sexual violence.
- C. The Risk Assessment Review Committee may override an offender's risk level. Therefore, the risk level that is on the mainframe (SOTP screen of the TDCJ Inmate Record Inquiry—IMF) is considered to be the official risk level for that offender.

XII. GENERAL INFORMATION ON COMMUNITY NOTIFICATION AND PUBLIC INFORMATION

- A. Offenders Attending Schools
 - 1. In the event an offender has been allowed to attend a secondary school and is required to register, the supervising officer shall notify the school officials prior to the offender attending the school.

2. A sex offender who enrolls in or works at an institution of higher education shall report that fact to the authority for Campus Security not later than the seventh calendar day after enrolling or working at the institution.
3. Supervising officers shall reference PD/POP-3.6.2, *Sex Offender Program Supervision Guidelines*, for further instructions regarding allowing offenders to attend a secondary school or an institution of higher education.

B. Postcard Notification

1. When the DPS receives a sex offender registration or address change for an offender who has been assigned a risk level of “High” or has been civilly committed, they will mail a printed notification to each address within a three-block radius in a subdivided area or a one-mile radius in a non-subdivided area.

The notice will contain all public information captured in the DPS database.

2. The local law enforcement agency, at its own expense, may provide to the public, in any manner determined appropriate, notice regarding offenders who have been assigned a “High” risk level. This may include publishing a notice in the newspaper.

C. The information contained in the DPS database, including the numeric risk level assigned to a person under this chapter, is public information, with the exception of the following:

1. The person’s Social Security number or driver license number, or any home, work, or cellular telephone number;
2. Any online identifier established or used by the person;
3. Any information regarding an employer’s name, address, or telephone number; or
4. Any information identifying the victim of the offense for which the person is subject to registration.

XIII. DRIVER LICENSE/IDENTIFICATION REQUIREMENTS

A. An offender who is statutorily required to register shall apply to the DPS in person for the issuance of an original or renewal driver license (DL) or for a personal identification (ID) card, not later than the 30th calendar day after the date:

1. The offender is released from a penal institution;
2. The offender is under supervision and statutorily required to register; or
3. The DPS sends written notice to the offender of the requirement.

- B. If the offender does not reside in a civil commitment center, the offender shall annually renew, in person, his DL or personal ID card issued by the DPS until the person's duty to register expires.
- C. If the offender is residing in a civil commitment center, the offender shall renew a DL or personal ID every six years.
- D. An offender registering based solely on a BPP-imposed special condition is not required to renew his DL or ID annually.

XIV. EMPLOYMENT PROHIBITIONS

- A. Certain types of employment are prohibited for a person with a reportable conviction or adjudication for a sexually violent offense, if the judge makes an affirmative finding of the fact and enters the affirmative finding in the judgment that the victim or intended victim was younger than 14 years of age for convictions on or after September 1, 2013.
- B. Employment restrictions include that these offenders, may not, for compensation:
 - 1. Operate or offer to operate a bus;
 - 2. Provide or offer to provide a passenger taxicab or limousine transportation service;
 - 3. Provide or offer to provide any type of services in the residence of another person, unless the provision of the services will be supervised; or
 - 4. Operate or offer to operate any amusement ride.

XV. OFFENDER INFORMATION MANAGEMENT SYSTEM

- A. Registerable Sex Offender (RSO) in the OIMS header:
 - 1. If an offender is required to register and the RSO is not in the OIMS header, the officer shall enter the registration information in the Add Sex Offender Registration screen to include the victim information, and select the reportable sex offense in the OIMS within three business days of release or determining the offender is required to register.
 - 2. The supervising officer shall verify all of the registration information is correct in the All Sex Offender Registration screen in the OIMS.
 - 3. When the sex offense is a prior TDCJ offense and it is not available to select in the OIMS, the parole office shall email the offender's name, TDCJ#, reportable sex offense conviction, and the TDCJ# at the time of the conviction to the Specialized Programs Sex Offender Parole officer IV or designee.

Once the offense is added back to the Commitment screen, the officer shall enter the RSO.

4. If the offender has a current or prior non-TDCJ reportable sex offense conviction, deferred adjudication, or adjudication, the parole officer shall enter the offense information in the Prior Non-TDCJ section of the OIMS.

B. Registration Verification in the OIMS

1. Officers shall enter the date the offender verified registration with local law enforcement in the Registration Verification section of the OIMS.
2. Officers shall monitor offenders' Next Offender Registration Verification Due Date—Non Compliant after this Date section in the OIMS, and instruct the offender to register prior to the noncompliant date.

- C. The supervising officer shall reference the OIMS Sex Offender Registration Quick Reference Guide when entering the Sex Offender Registration information and other OIMS screens that affect sex offender registration.

René Hinojosa
Director, Parole Division