

STATE OF SOUTH DAKOTA SEX OFFENDER DUTY TO REGISTER

The sex offender registration laws in SDCL 22-24B-1 through 22-24B-37 apply to any person who has been convicted (either upon a verdict or a plea of guilty or plea of nolo contendere), or who has received a suspended imposition of sentence that has not been discharged pursuant to SDCL (23A-27-14), of a sex crime as defined in SDCL 22-24B-1, including convictions for attempt, conspiracy, or solicitation of sex crimes as defined in SDCL 22-24B-1. A foreign criminal conviction which requires registration as a sex offender pursuant to the laws of the state where the conviction took place, also requires registration in South Dakota **within three (3) business days** of arrival into this state. The laws also apply to any juvenile fourteen (14) years of age or older at the time of the offense shall register as a sex offender if that juvenile has been adjudicated of rape as defined in subdivision 22-24B-1(1), or of an out-of-state or federal offense that is comparable to the elements of these crimes of rape or any crime committed in another state if that state also requires a juvenile adjudicated of that crime to register as a sex offender in that state. Registration requires submission of certain information, including the offender's signature, DNA, passport information, INS number and document type, professional licenses and other information. Failure to comply is a Class 6 Felony.

An offender must register **within three (3) business days** of coming into any county to reside, temporarily domicile, attend school, attend post-secondary education classes or work. Any offender registering in this state who is employed, carries on a vocation, or attends post secondary classes at an institution of higher education, institution of higher learning or technical institute in this state shall, **within three (3) business days** of any commencement or termination of such enrollment or employment, report to the registering agency where the institution is located and complete a Registration Update form. The registering agency is the Chief of Police of the municipality where the offender resides, domiciles, attends school, attends post-secondary education classes or works; or, if no Chief of Police exists, then it is the county Sheriff. Any offender registered in South Dakota who plans to enter another state to work, carry on a vocation or attend school must comply with that state's registration requirements as well. Failure to comply is a Class 6 Felony.

Any **change of residence address or location** requires the offender to submit, **within three (3) business days** of the move, a Registration Update form to the law enforcement agency where the offender last registered. An offender registered in South Dakota who moves to another state must notify the registering agency in South Dakota where the offender last registered and provide information of their new address. The offender must also comply with any registration requirements in the new state of residency. Failure to comply is a Class 6 Felony.

Offenders must register every (6) six months. They are first required to register on their birth month and then required to register six (6) months after their birth month. Each offender registered in South Dakota must go to the South Dakota law enforcement agency where the offender last registered. The offender will be sent once a year a non-forwardable verification form to their last known address. The offender is required to return the verification form to the Division of Criminal Investigation within 10 days. Failure to comply is a Class 6 Felony.

Any **vehicle registration status change** of a vehicle the offender owns shall be reported to the registering law enforcement agency **within three (3) business days**. Failure to comply is a Class 1 misdemeanor. Any **travel outside the United States** shall be reported **at least twenty-one (21) days** in advance of the travel to your registering law enforcement agency. Failure to comply is a Class 1 misdemeanor.

Those required to register as sex offenders may NOT establish a residence or reside within a "community safety zone". The community safety zone is **500 feet** from the facilities and grounds of any school, public park, public playground, or public pool. If a sex offender committed a registerable offense in another state, they are subject to the residence restriction distance of that state, if it is greater than SD's 500 foot rule. Failure to comply is a Class 6 Felony.

Any subsequent violations of paragraphs 1,2,3,4 & 6 would be a Cls 5 Felony.

Please Print or Type – List additional information on a separate piece of paper and attach, if necessary.

Offender Name: _____

Last

First

Middle

Date of Birth: _____ Social Security # : _____/_____/_____

Planned Physical Address Upon Release: _____

Date of Release / Parole / Discharge / other _____

Expected Length of Stay: _____ Phone: () _____

I certify that my duty to register as a sex offender has been explained to me. I further certify the information I have furnished is true to the best of my knowledge. I understand that false reporting is a criminal offense, and that providing false information in this document will be considered failure to comply with SDCL 22-24B-1 through 22-24B-37.

thus subjecting me to criminal penalties.

DATE: _____ OFFENDER SIGNATURE: _____

ADVISING AGENCY: _____ DATE: _____

I certify that I have required the above-listed offender to read and sign the foregoing Sex Offender Duty to Register form, and I have explained the procedure for registration as required of me in SDCL 22-24B-13 or SDCL 22-24B-14.

NAME: _____

SIGNATURE: _____

Advising agency shall mail within three days to the law enforcement registering agency where the offender will reside, and to the Division of Criminal Investigation, 1302 East Highway 14, Suite 5, Pierre, SD 57501-8505. SD:DCI (06/17)

THIS IS NOT THE REGISTRATION FORM.

Report to your local law enforcement agency within THREE (3) BUSINESS DAYS to register.

Provide a copy of the Duty to the Offender.

Mail copies to: Prosecuting Attorney; Agency where offender will reside & DCI.
