



**Division of Criminal
Justice Services**

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Sex Offender Registry

2021 Annual Report

**New York State Sex Offender Registry and Registry Telephone Number
2021 Annual Report**

This report is submitted as required by New York State Correction Law §168-p (4) and §168-s.

It includes an overview of the Registry's activities in 2021 and statistics detailing the number of calls to the Registry's toll-free telephone number and searches of the Registry conducted as a result of those calls, among other data.

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Sex Offender Registry Overview

The New York State Division of Criminal Justice Services is responsible for the administration of the state's Sex Offender Registry, which was created by the state's Sex Offender Registration Act (SORA). Registry staff have a variety of responsibilities, including but not limited to:

- Adding newly registered individuals to the Registry;
- Mailing annual verification letters to all registered individuals; those letters require them to verify all information they are required to report by law and notify the Registry of any changes;
- Updating existing Registry records when changes are submitted by registered individuals as required by law;
- Verifying all residence addresses reported by offenders with the U.S. Postal Service prior to updating the Registry;
- Notifying police departments and sheriffs' offices whenever individuals who are registered move to, within, or from, their area of jurisdiction;
- Supporting local, county, state and federal law enforcement and criminal justice agencies, which are responsible for ensuring that individuals who are registered comply with requirements under the law and for deciding to bring criminal charges against those who fail to comply; and
- Providing information about individuals who are required to register sex offenders to the public, employers, and volunteer organizations, among others.

2021 Activities

At the end of 2021, a total of 42,583 individuals were registered in New York State. The law provides for a risk level of re-offense – 1, 2 or 3 – to be assigned by a judge after a court hearing. Of the 42,583 individuals registered at the end of 2021:

- 14,650 were Level 1: low risk
- 16,219 were Level 2: medium risk
- 10,742 were Level 3: high risk

Another 972 individuals had not yet had their risk levels set by a judge. Under state law, risk level determines the type of information available to the public and the manner in which that information is provided:

- Information about all registered individuals, regardless of risk level, is available through a toll-free number (800-262-3257). Callers must have a name and another identifier, such as date of birth.
- Information about individuals deemed to have a risk level of 2 and 3 also is available on the DCJS [website](#).

The [Sex Offender Registration Act \(SORA\)](#) details the information that offenders are required to provide to the Registry, including residence address, photographs and vehicle information.

In 2021, Registry staff:

- Screened 354,771 names of potential drivers for the ride-sharing companies Uber and Lyft, resulting in those companies being notified of 157 matches to the registered sex offenders. Uber and Lyft have operated statewide since June 2017; this screening of potential drivers is required by law.
- Processed 39,070 annual address verifications from registered individuals and another 39,547 changes to Registry information.
- Removed 600 individuals from the Registry upon completion of their 20-year registration requirement. Upon each removal, staff also notified the original arresting agency, the county district attorney's office that prosecuted the case, and the police agency with jurisdiction over the individual's most recent address.
- Removed 471 individuals from the Registry after receiving proper documentation that they were deceased: as a death certificate, police report, funeral home-affiliated obituary or Social Security death index, for example.
- Provided social media accounts, email addresses and internet service providers reported by registered individuals 38 social networking platforms on a weekly basis. The state's Electronic Security and Targeting of Online Predators Act (eSTOP) allows the Registry to provide that information, upon request, to companies that have users younger than 18. These businesses may use the information to prescreen or remove individuals from their services and/or advise law enforcement of potential threats to public safety and/or violations of law. There is no statutory requirement for businesses to notify the Registry of any action they have taken.

2021 Enhancements

Registry staff partnered with the state's Office of Information Technology Services and a vendor to digitize all existing paper Registry records and develop an electronic document repository. The scanning of historical Registry files was completed in November 2019 after 15 months. The process resulted in digitization of approximately 4.5 million different documents.

The New York City Police Department and all local probation departments submit documents to the Registry electronically, and work continued on a project to allow the Registry to accept and process new registrations submitted electronically by the state Department of Corrections and Community Supervision, which oversees the state's prison system. This project is expected to be completed 2023.

Operation of the Toll-Free Number

As noted earlier, state law requires the Registry to provide information about registered individuals through a toll-free telephone number: 800-262-3257.

The toll-free line received 25,395 in 2021, which required staff to conduct manual searches of the Registry. Staff estimate that potential employers and volunteer groups who are screening applications made about 70 percent of the calls to the toll-free line. The remaining 30 percent of the calls came from private citizens.

The Registry also operates a dedicated phone line to assist law enforcement agencies and a main office line also receives calls from the public and individuals who have questions about the Registry or their registration obligations.

Children's camp operators are required by law to conduct searches on all prospective employees and volunteers. The Registry accepts electronic files when a search request includes 30 or more names.

In addition to increasing efficiency, accepting electronic files has contributed to a significant increase in the number of searches conducted by staff. In 2021, the Registry handled 4,332 electronic submissions, which required staff to search 4,041,988 names; that compares to 4,208 electronic submissions in 2020, which required a search 2,403,902 names.

Total calls to the Sex Offender Registry	31,464
Toll-free telephone number	25,395
Law enforcement telephone number	1,504
Main telephone number	4,565

Toll-free (800) Telephone Number Report <i>(as required by Correction Law §168-p(4))</i>	
Searches Requested by Phone Call	25,395
Searches Submitted Electronically	4,332
Searches Completed Electronically	4,041,988
Searches Completed <i>(total of calls and electronic submissions)</i>	4,132,805
Phone Affirmative Responses/Matches to Registered Individuals	604
Phone Negative Responses/No Match to a Registered Individuals	90,213
Average Length of Call	2.30
Total Number of Minutes	58,408.5
Cost Per Minute	.045
Total Cost	\$2,628.38
Number of Individuals Registered <i>(as of Dec. 31, 2021)</i>	42,583

Sex Offender Registration Act: History and Background

The Sex Offender Registration Act (SORA), also known as Megan’s Law, took effect Jan. 21, 1996. SORA is detailed in Correction Law Article 6-C and provides for the registration of individuals and notification to the public about individuals living in the community.

Modeled upon the provisions of the federal Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act (Wetterling), the law recognizes concerns unique to New York State, detailing a multi-agency, multi-disciplinary registration and community notification process. The law provides for three forms of information dissemination and community notification:

- Local police departments and sheriffs’ offices with jurisdiction over the community in which registered individuals reside may choose release information about those individuals to entities with vulnerable populations, as defined under state law.
 - Under SORA, the exact address of individuals deemed to have a risk level of 2 and 3 offenders can be provided by local law enforcement. Only ZIP Code can be provided for individuals deemed to have a risk level of 1.

- Anyone may call the toll-free number (800-262-3257) to determine if an individual is on the Registry. In order to obtain information, a caller must have the name of the individual and one of the following: an exact address, a complete date of birth, a driver's license number or a Social Security number. Information about individuals of all risk levels, and those whose risk level has not yet been set by the courts, is available through the toll-free number.
- Individuals can access information about Level 2 and 3 individuals online: www.criminaljustice.ny.gov/nsor.
 - Note: A federal court injunction still prohibits the release of information about individuals who committed their crime prior to Jan. 21, 1996, and who were assigned a risk level prior to Jan. 1, 2000 (see page 8 for more information).

Among other obligations, sex offenders are required to:

- Annually verify their address by returning the address verification letter to DCJS within 10 days of receipt. The annual verification letter cannot be forwarded by the U.S. Postal Service to a new address;
- Provide DCJS with notification within 10 days of any change in address, change in Internet accounts, Internet identifiers, or change in status of enrollment, attendance, employment or residence at any institution of higher education; and
- Submit an updated photo annually if they have a risk level of 3, or every third year if they have a risk level of 1 or 2.
 - Individuals must report to their local police departments to have their photos taken. The Registry can accept both electronic and hard copy photos and multiple photos are included in the Registry whenever available.

In addition, individuals with a risk level of 3 or those with any risk level who have been designated by a judge as sexual predators must personally verify their addresses every 90 days with the local law enforcement agency having jurisdiction over those addresses.

The law also allows law enforcement to take a new photograph of individuals with a risk level of 3 offender or individuals with any risk level designated as a sexual predator if it appears that their appearance has changed since the most recent photograph was submitted to DCJS.

Individuals who fail to comply with any obligations under the law can be charged with a felony. A first conviction is punishable as a Class E felony; a second or subsequent conviction is punishable as a Class D felony.

The law requires DCJS to:

- Notify police departments and sheriffs' offices whenever individuals move into, within or from their jurisdiction. Police departments, sheriffs' offices, district attorneys' offices, county probation departments, local parole offices, and family and criminal courts, also have access to the complete Sex Offender Registry through a secure, online portal.

- The complete Registry contains additional information not available to the public, including, but not limited, to an individual's complete address history, including last reported address; compliance with annual verification requirements, and current status information, for example, if an offender is incarcerated or has been deported.
- This ensures that all agencies monitoring and supervising individuals required to register have access to the most current information available. Family courts are required to conduct a check of the Registry whenever orders of custody or visitation are issued or modified.
- Maintain a directory of individuals with a risk level of 2 or 3 online.
 - The online directory is searchable *by one of following criteria*: last name, county or ZIP Code. Information on the website includes the name, address, photograph(s), as well as the following inf provided: distinctive marks, such as tattoos; crime of conviction; type of victim targeted and special conditions of parole or probation supervision.
- Operate a toll-free telephone number.
- Educate the public about the Registry.
 - Information about the law, including frequently asked questions, is available online: www.criminaljustice.ny.gov/nsor.

Sex Offender Management and Treatment Act

The Office of Sex Offender Management at DCJS was created by the Sex Offender Management and Treatment Act and has the following responsibilities: overseeing the Registry; leading interagency initiatives to improve sex offender management; advising the Governor and Legislature; training; and educating the community. Staff also provide information and education to criminal justice professionals responsible for monitoring, supervising or working with individuals required to register. Topics include an overview of the law, registered individuals' obligation; and what to do when encountering individuals in New York State who have been convicted as sex offenders in other jurisdictions.

Risk Assessment and Board of Examiners of Sex Offenders

Every individual required to register must be assigned a risk level. The Board of Examiners of Sex Offenders, which has five members appointed by the Governor, makes risk level recommendations to the sentencing court for individuals sentenced to state prison or local jail.

The board also determines whether individuals convicted in other jurisdictions (other states and countries, or federal and military courts) are required to register upon establishing a residence in New York State and makes risk level recommendations to the court about those individuals. The board also provides sentencing courts with reports whenever individuals exercise their rights under the law to file petitions for relief from registration or to modify their risk level.

Federal Court Injunction

The Sex Offender Registration Act took effect on Jan. 21, 1996 and was applied to all individuals who were convicted of qualifying offenses and who had not completed serving their sentence on the effective date. That retroactive application of the law and the original process it outlined for determining risk level was challenged in court.

That litigation resulted in a federal court injunction which prohibits release of information to the community about certain offenders until a risk level hearing has occurred in court and a risk level set by a judge. These individuals committed their crimes prior to Jan. 21, 1996, and their risk level was assigned prior to Jan. 1, 2000, by the former state Division of Parole, or the former state Division of Probation and Correctional Alternatives. This injunction affects approximately 60 registered offenders, who are awaiting court hearings to determine their risk level.

National Sex Offender Registry Participation

Information on all sex offenders registered in New York State is transmitted to the National Sex Offender Registry (NSOR), which is administered by the FBI. The federal Registry includes detailed registration information and a photograph and fingerprint image of all sex offenders registered throughout the nation. The information from the federal Registry is available to law enforcement agencies nationwide and assists them in tracking sex offenders who are registered in other states or traveling throughout the nation.