



TENNESSEE BUREAU OF INVESTIGATION
TENNESSEE FUSION CENTER
SEX OFFENDER REGISTRY
STANDARD OPERATING PROCEDURES



Registration of Juvenile Offenders Adjudicated in Juvenile Court

PURPOSE: The purpose of this procedure is to define the necessary guidelines for the registration of juvenile offenders adjudicated of specific crimes in juvenile or family court, requiring registration in the Tennessee Sex Offender Registry (SOR) Database. This activity is mandated by Tennessee state law effective July 1, 2011.

PROCEDURAL PROCESS:

Juvenile offenders who are transferred to and receive convictions from adult court, in this or any other state, are treated and registered the same as all adults requiring registration on the Tennessee SOR. This Standard Operating Procedure (SOP) **does not apply** to juvenile offenders transferred and convicted in adult court.

- I. For offenders to be classified as Violent Juvenile Sexual Offenders and registered on the SOR Database, all of the following must apply:
 - A. The offender must have been adjudicated delinquent (for SOR purposes, equivalent to a conviction or finding of guilt) in juvenile or family court of one or more of the following crimes:
 - i. Aggravated Rape, under 39-13-502;
 - ii. Rape, under 39-13-503;
 - iii. Rape of a Child, under 39-13-522, **provided the victim is at least four (4) years younger than the offender;**
 - iv. Aggravated rape of a child, under 39-13-531; or
 - v. Criminal attempt, under 39-12-101, to commit any of the offenses listed above.
 - B. The offender must have been fourteen (14) years of age or more at the time of the offense for any of the qualifying charges.
 - C. The offense for which the juvenile was adjudicated must have occurred on or after July 1, 2011.
 - D. It is important to note that under TCA 37-1-127(f), if a child is charged with a delinquent act (listed in A, i-v above) that could qualify such child as a violent juvenile sexual offender, such child shall be given verbal and written notice of the violent juvenile sexual offender registration requirements **prior to** a hearing on whether the child committed such act. Verbal and written notice of these requirements may be accomplished by reading and providing a copy of the TBI Sex Offender Instruction Form as mentioned in section VI of this standard operating procedure.
- II. If the offender was adjudicated as a juvenile for any sexual offense in another state and **was required to register in that jurisdiction**, and subsequently establishes contact in



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Tennessee sufficient to satisfy the requirements of registration, the offender must register in Tennessee regardless of the offender's date of conviction, adjudication, or discharge from supervision. The date the offender actually moved to Tennessee or the offender's age at the time the offense was committed are not a consideration in this situation.

- III. If the offender was adjudicated as a juvenile for any sexual offense in another state and **was not required to register in that jurisdiction**, and subsequently establishes contact in Tennessee sufficient to satisfy the requirements of registration, a Tennessee registration determination must be made by the TBI Legal Advisor to the TBI Sex Offender Registry Unit (SORU) prior to registering the offender in Tennessee. Contact the SOR Hotline (1-888-837-4170) for assistance.
- IV. Only the base charges listed in section I.A. above pertain to offenders adjudicated in juvenile court in Tennessee. The other charge forms used for adults in Tennessee: Solicitation to Commit, Conspiracy to Commit, Accessory After the Fact to Commit, Criminal Responsibility to Commit, or Facilitating the Commission to Commit, **do not apply and do not register**.
- V. Any Tennessee court exercising juvenile jurisdiction that adjudicates a juvenile fourteen (14) years of age or older as delinquent for any of the crimes listed in section I.A., shall, immediately after adjudication, complete a TBI Registration Form for Adjudicated Juveniles and SOR Instruction Form, having the offender sign both, and transmit that information with the offender's court records relating to that adjudication to the Lead Intelligence Analyst of the TBI SORU by scanning and e-mail (Karrie.Stanfill@tn.gov), by fax (to the attention of Karrie Stanfill 615-744-4655), or by mail:

TBI
Attn: Intelligence Analyst Karrie Stanfill
Sex Offender Registry Unit (Juvenile Adjudication)
901 R.S. Gass Blvd.
Nashville, TN 37216-2639

within 48 hours of the offender's adjudication. The transmitting court shall also provide name and telephone contact information of the person sending the information to TBI.



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Agencies and courts may obtain blank TBI forms at the Sex Offender Registry web site for Law Enforcement:

<http://www.tbi.tn.gov/> .

Click on “Law Enforcement Only”

User name: lawenforcement

Password: Tennessee1

Click on the “TN Sex Offender Registry”

Click on “SOR Forms”

Click on “Registration Form for Adjudicated Juveniles” and/or “Instruction Form”

- VI. The Registration Form for Adjudicated Juveniles and Instructions Form shall be completed by a court official or law enforcement officer, filled out in legible print, signed by the offender and witnessed by the official completing the form. In no instance shall the form be given to the offender for completion.
- VII. The offender’s primary address listing on the Registration Form shall be the actual address where the offender actually resides. If the offender is adjudicated and sent to an in-custody treatment facility, then the address of the treatment facility shall be used as the offender’s primary address listing on the Registration Form. The residence address where the offender will reside when not in custody may be listed as a secondary address. Once the offender is released from in-custody treatment, the address listing changes must be reported and updated within 48 hours.
- VIII. Any local or state officer or agency having knowledge of a juvenile adjudication meeting all of the above listed criteria shall notify the Lead Intelligence Analyst of the TBI SORU by e-mail (Karrie.Stanfill@tn.gov) and provide any or all of the following information if known:
 - A) Name of the adjudicated offender
 - B) Date of adjudication
 - C) Charge(s) for which the offender was adjudicated
 - D) Court the adjudication took place in
 - E) Name and contact number of the court clerk
 - F) Name and contact number of the presiding judge
- IX. Once the registration and instruction forms are received by the Lead Intelligence Analyst of the TBI SORU, the information will be entered into the SOR Database. Initial entries into the SOR Database of adjudicated juveniles meeting the above criteria shall only be performed by employees within the TBI SORU.
- X. Once the offender has been entered into the SOR Database, the TBI SORU will electronically transmit by e-mail the offender’s registration information to the proper



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Tennessee law enforcement registering agency. The offender will register with the same appropriate registering agency as any other offender. No new registering agencies have been created to deal with adjudicated offenders other than the completion of the initial paperwork by the adjudicating court. If the offender is sent to an in-custody treatment facility, then, during the time the offender resides at the facility, the registering agency will be the law enforcement agency with jurisdiction where the treatment facility is located.

- XI. Upon notification from TBI, the appropriate registering agency shall immediately schedule the offender to complete the registration process and obtain the following:
- A) Fingerprints and palm prints (following TCA and the SOP on SOR Fingerprint Guidelines)
 - B) Photograph (uploaded into the SOR Database)
 - C) DNA (following the DNA collection SOP)
 - D) A photocopy of a valid driver license, or if no valid driver license has been issued to the offender, a photocopy of any state or federal government issued identification card (only if one exists) and forwarded to the TBI SORU
 - E) For an offender on supervised release, the name, address and telephone number of the registrant's probation or parole officer or other person responsible for the registrant's supervision (entered into the SOR Database)
 - F) An information update on any changed or missing information in the SOR Database
 - G) NCIC entry (following the NCIC SOP)
- XII. Offenders adjudicated as juveniles are not required to pay the annual SOR Administrative Fee until the offender reaches eighteen (18) years of age. Once the offender reaches 18, the "SOR Fee Collection by Agency" SOP should be followed.
- XIII. Violent juvenile sexual offenders are not required to obtain a photo identification card or driver license designated pursuant to 55-50-353, until they reach age 18.
- XIV. Residential restrictions set out in T.C.A. 40-39-211(a)-(d) shall not apply to a violent juvenile sexual offender required to register unless otherwise ordered by a court of competent jurisdiction.
- XV. For any violent juvenile sexual offender who is adjudicated for a violent juvenile sexual offense (as listed in section I.A.), the information concerning the violent juvenile sexual offender shall be confidential and not listed on the public SOR website, except as otherwise provided under T.C.A. 40-39-207(j) and any other provision of law. Additionally, information concerning adjudicated juveniles who have



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contact in this state requiring registration due to being adjudicated or required to register in another jurisdiction, shall be confidential and not listed on the public SOR website, except as otherwise provided under T.C.A. 40-39-207(j) and any other provision of law.

- XVI. Violent juvenile sexual offenders, after completing the initial registration process described above, must report on the same quarterly schedule and in the same manner as violent sexual offenders.
- XVII. Violent juvenile sexual offenders who are kept in custody shall be classified in the SOR Database as “Inactive-Incarcerated” only after fully completing the initial registration process described above. *For example:*

On July 5, 2011, an offender is adjudicated delinquent in the Juvenile Court of Montgomery County for the crime of Criminal Attempt to Commit Rape. The juvenile and his family reside in Clarksville, however, the juvenile is sent to in-custody treatment in Knoxville. The juvenile court completes an Initial Registration Form and Instruction Form and lists the primary address as the Knoxville treatment facility and secondary address as the family residence in Clarksville. The juvenile court scans and e-mails the forms and court documents relating to that adjudication to TBI the same day. Original signed forms are mailed by the juvenile court to TBI within 48 hours.

TBI receives the paperwork from the court, enters the information into the SOR Database, assigns the offender to the Knoxville Police Department, and electronically forwards the initial registration paperwork to Knoxville PD. Knoxville PD then will immediately coordinate with the agency having custody of the offender (Tennessee Department of Children’s Services (DCS) and/or the treatment facility itself) to complete the registration process with photographs, fingerprints, etc. Once completed, the Knoxville PD will perform an Information Update in the SOR Database, ensuring the offender is classified as Inactive-Incarcerated and all information is listed correctly. The agency having custody of the offender (DCS and/or the treatment facility itself) must notify the Knoxville PD 48 hours prior to the offender’s release. The Knoxville PD must then perform another Information Update in the SOR Database, classifying the offender as Active and listing the updated residence address and information.

Registration flowchart attached:



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JUVENILE FLOWCHART

