



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



SOR Deletion Process

PURPOSE: The purpose of the procedure is to define the necessary steps in requesting an offender's deletion from the Tennessee Sex Offender Registry (SOR). In order for an offender to be deleted from the Registry, the offender must have originally been added to the registry by mistake or error, his/her sexual offense or violent sexual offense must be expunged, the offender must be deceased or the offender must have successfully completed diversion. A deletion differs from a termination in that the offender being deleted is not required to undergo the termination process, and if qualified, is deleted from the registry immediately, forgoing the steps required in termination.

PROCEDURAL PROCESS:

I. Registered in Error or By Mistake:

Contact the SOR Unit either on the hotline (1 888-837-4170) or by email (tbisormgr@tn.gov) to advise TBI of the error.

II. Expungements:

Must obtain a copy of the expungement order from the court and forward it to TBI Sexual Offender Registry Unit. All expungements must be verified with a copy of the court order prior to the offender's deletion from the SOR.

III. Death:

The death of an offender must be verified. Verification includes a death certificate, police/incident report, coroner's report, or an entry in the Social Security Death Index. Forward the necessary form to TBI for deletion.

IV. Diversion Completion:

The offender was placed on judicial diversion pursuant to *40-35-313* and has completed the terms of the diversion successfully. A copy of the court order dismissing the charge must be forwarded to TBI prior to deletion of offender's record.

Forward corresponding documents to TBI SOR for review. Upon approval, the TBI will remove the offender from the SOR database and TBI will cancel the NCIC entry. A letter will be sent to the registering agency and/or the offender notifying them of the removal.



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Related Codes:

TCA 40-39-207(a)(2) Notwithstanding subdivision (a)(1), if a court of competent jurisdiction orders that an offender's records be expunged pursuant to § 40-32-101, and the offense being expunged is an offense eligible for expunction under § 40-32-101, the TBI shall immediately remove the offender from the SOR and the offender's records shall be removed as provided in § 40-39-209.

TCA 40-39-209 Except as otherwise provided in § 40-39-207(a)-(d), no record shall be removed from the SOR, unless ordered by a court of competent jurisdiction as part of an expunction order pursuant to § 40-32-101, so long as the offense is eligible for expunction under § 40-32-101.

TCA 40-39-210 Upon receipt of notice of the death of a registered offender, verified through the registering agency or TBI officials by obtaining a copy of the offender's certificate of death, by checking the social security death index or by obtaining a copy of an accident report, the TBI shall remove all data pertaining to the deceased offender from the SOR.

TCA 40-39-202 "Conviction" means a judgment entered by a Tennessee court upon a plea of guilty, a plea of nolo contendere, a finding of guilt by a jury or the court notwithstanding any pending appeal or habeas corpus proceeding arising from the judgment. "Convictions," for the purposes of this part, also include a plea taken in conjunction with § 40-35-313 or its equivalent in any other jurisdiction. Once an offender has successfully completed diversion and had his/her charge dismissed, he/she is no longer convicted and therefore no longer qualifies for the SOR.