

**REPORT OF THE  
SECRETARY OF PUBLIC SAFETY  
AND THE SUPERINTENDENT OF STATE POLICE**

# **A Special Report on the Implementation of Sexual Offender Monitoring**

**TO THE GOVERNOR AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



## **HOUSE DOCUMENT NO. 8**

**COMMONWEALTH OF VIRGINIA  
RICHMOND  
2007**



# COMMONWEALTH OF VIRGINIA

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December 29, 2006

TO: The Honorable Timothy M. Kaine, Governor of Virginia

The Honorable John H. Chichester  
Chairman of the Senate Finance Committee

The Honorable Vincent F. Callahan, Jr.  
Chairman of the House Appropriations Committee

Pursuant to the 2006 Appropriations Act, Item 414 H.2. of the Virginia Acts of Assembly (Special Session 1), I am respectfully submitting herewith, *A Special Report on the Implementation of Sexual Offender Monitoring*. The report is a compilation of the Department's efforts during the period July 1, 2006, through December 1, 2006.

Respectfully,

A handwritten signature in black ink that reads "W. S. Flaherty".

Superintendent

WSF/JLB/vs

Enclosure

## **A Special Report on the Implementation of Sex Offender Monitoring**

### **Preface**

Pursuant to Item 414 H.2. of Chapter 3 of the 2006 Virginia Acts of Assembly (Special Session 1), the Department of State Police is pleased to provide this report on the implementation of the monitoring of offenders required to comply with the Sex Offender Registry requirements.

# A Special Report on the Implementation of Sex Offender Monitoring

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## ***Sex Offender and Crimes Against Minors Registry (SOR) Verifications***

As of December 1, 2006, there were 15,226 sex offenders listed on the Virginia State Police Sex Offender and Crimes Against Minors Registry. This number included those offenders who registered in the Commonwealth but relocated to another state. In Virginia, there were approximately 13,000 offenders residing in the communities and were divided into the following three groups: (1) approximately 3,000 registrants under Department of Corrections Probation and Parole Services; (2) approximately 5,000 sex offenders whose verification will be conducted by the Department of State Police (VSP); and (3) the remaining 5,000 registrants are incarcerated in jails or prisons across the state.

Keeping in mind the number of offenders located in Virginia and the requirement to have home and employment addresses verified for those not incarcerated, VSP developed a web-based system for recording and monitoring address verifications. This database is utilized by VSP employees and shared with those Department of Corrections (DOC) employees who are tasked with completing this process. Training was conducted by VSP for both agencies on the use of this system and to date, there are 74 Probation and Parole Officers and eight VSP Sex Offender Investigative Unit employees trained. Training is on-going to ensure that all 443 Probation and Parole officers and 45 sworn employees of the VSP are trained to use this program.

It is important to note that in anticipation of the July 1, 2006 legislative mandate requiring address verification, VSP implemented a verification protocol that initiated 2,620 verifications of home and work addresses with 1,535 being verified. (Please see Appendix A, Table 1, and Table 2 in Appendix B for a map of the regions created and serviced by VSP and a breakdown of verifications by region and type of verifications by region.) These verifications were completed utilizing troopers statewide assigned to the Bureau of Field Operations. In the future, the newly created Sex Offender Investigative Unit will handle all verifications. The Unit will be comprised of the 45 sworn positions created during the 2006 General Assembly Session. With these troopers in place, the number of completed verifications will significantly increase as we work to make contact within 30 days of those offenders who initially register or those who make address changes and then every six months thereafter.

## ***Registry Violations***

Any alleged violations resulted in an investigation being conducted by VSP or by local law enforcement agencies as stipulated by the Code of Virginia. Investigations conducted by VSP stemmed from tips generated from citizens, other law enforcement agencies, DOC, other registries, and law enforcement agencies from other states, and cases initiated by troopers. From July 1, 2006, to December 1, 2006, there were a total of 3,011 criminal investigations initiated regarding violations of "Failure to Register," and "Providing False Information." During this period, there were 525 arrests made across the state by VSP personnel for violations of the aforementioned offenses. There have

been 80 convictions and numerous cases still pending trial. (Please see Table 3 and Table 4 in Appendix B for a breakdown of cases developed by region and convictions by jurisdiction.)

### ***Coordination with Other State and Local Law Enforcement Organizations***

Interagency coordination efforts are as follows:

- VSP – Development of the Sex Offender Verification (SOV) System for use by VSP and DOC personnel. On-going training is being conducted by VSP for both agencies.
- VSP and DOC - Preparation and statewide dissemination of informational materials.
- VSP and DOC – Area offices register or re-register each incoming sex offender and works to process offenders who are under the supervision of Probation and Parole.
- VSP and DOC – monitoring of offenders through combined efforts such as the Halloween meetings that took place at varied Probation and Parole offices. These efforts were to monitor offender movement during this high foot traffic holiday. The secondary goal was to educate offenders regarding registration protocol.
- VSP, DOC, Office of Attorney General (OAG), Department of Mental Health, Mental Retardation and Substance Abuse Services (DMHMRSAS) provided training for DOC staff on SOR, and Sexually Violent Predators (SVP).
- VSP, DOC, Prince William County Sheriff's Office attended the Bureau of Justice Assistance Sex Offender Management and Tracking Symposium in Orlando, Florida.
- VSP, DOC, and the United States Marshal Service – This fugitive task force initiative was continued and will include sex offender fugitives in its targeted operations. In the fall of 2006, the task force initiated Operation Falcon III. A one-week effort resulted in 283 arrests statewide, which 61 apprehensions were for SOR violations. Enforcement results from Operation Falcon III are listed in Appendix B page 3.
- VSP is working with several out-of-state registries to share information, locate and apprehend absconders who crossed state lines to escape compliance from Virginia and other jurisdictions in the United States, which were related to sex offender registration.

- VSP developed small task force initiatives with local agencies across the state with the goal of enhancing investigations surrounding SOR violations and to increase the line of communication throughout Virginia's criminal justice system.

### ***Staffing Requirements***

During the 2006 General Assembly Session, 45 sworn positions were allocated to VSP as an enforcement component of the SOR. This unit is committed to monitor and prosecute sex offenders who fail to comply with Title 9.1 of the Code of Virginia. The following information provides an overview of the creation, implementation, and progress of the Sex Offender Investigative Unit.

In July 2006, the Sex Offender Investigative Unit was implemented by establishing one first sergeant position, four sergeant positions, and 40 trooper positions. This unit was added as an organizational component of the Criminal Justice Information Services Division in the Bureau of Administrative and Support Services. The first sergeant will oversee this unit and will report to the lieutenant who manages the Sex Offender and Crimes Against Minors Registry. The positions in the unit were constructed to provide an enforcement component to the SOR with the goal of providing quick and in-depth investigations of sex offender violations. To properly distribute these established positions, the sex offender population in the Commonwealth was studied, and the results were utilized for the creation of four regions. It was determined that each region would be assigned one sergeant and 10 troopers; with this assignment, each region would provide for an offender to trooper ratio of approximately 120:1. To further ensure efficiency, each region was divided into areas or small geographical work units to ensure that manpower was distributed evenly within each region. (Please see Appendix A for a depiction of the regions and areas that comprise the geography covered by the Sex Offender Investigative Unit.)

To accomplish staffing of the Sex Offender Investigative Unit, interviews for first sergeant were conducted in July 2006. During this timeframe, a first sergeant was selected and unit operations began on August 10, 2006. Also, in August 2006, interviews were scheduled and conducted to fill the four sergeant positions. This process was completed and the sergeants were transferred to the unit on September 10, 2006. Employee work profiles were developed and interviews were scheduled across the state in order to fill the 40 trooper positions. Interviews were conducted in October and November 2006 with 95 applicants being screened. To date, there are 20 troopers that transferred to the unit on December 25, 2006. These troopers are strategically distributed across the state and assigned to one of the four regions, which will supplement the work currently being completed by those troopers who are handling such tasks in the Bureau of Field Operations. The remainder of the 20 troopers will be transferred to the Sex Offender Investigative Unit in the spring of 2007. These troopers will transfer as their replacements graduate from the two existing State Police Basic sessions. Graduations for these sessions are scheduled for February and March 2007. The Sex Offender Investigative Unit will be fully operational once these transfers are finalized.

To enhance the productivity of this unit, training will be conducted at the VSP Academy during the week of January 8-12, 2007. The training was developed to ensure that all employees approach the investigations and handling of sex offenders in a systematic and professional manner. To further enhance efficiency, each sergeant and trooper will be issued a laptop computer with wireless capabilities, digital camera, and cellular telephone to ensure that immediate and open communication is practiced and timely and accurate data is received and disseminated.

It should be noted that the overall objective of this unit and VSP is to enhance public safety by investigating and successfully closing criminal cases involving sex offenders who fail to comply with Title 9.1 of the Code of Virginia. To accomplish this objective, the following goals were established:

1. Increase the percentage of cases successfully closed involving sex offenders failing to register to 90% in CY2007.
2. Increase the percentage of cases successfully closed involving sex offenders failing to register to 92% by CY2010.

### ***General Observations***

The new sex offender legislation is expansive in its impact on the criminal justice and mental health systems. Considerable interagency collaboration has occurred and is ongoing to gather information, develop procedures, and create tracking systems for not only this agency but for other state and local partners. The goal is to broaden the line of communication and streamline protocol and procedure to ensure a high level of productivity and efficiency, as well as to enhance the quality of life for all who reside or pass through the boundaries of this Commonwealth.

Further, the Federal "Adam Walsh Act" will require each state to comply by July 2009 with federally enacted guidelines, which will certainly require statutory changes and systems development in Virginia. The draft federal guidelines are expected by January 2007.

At present, a substantial amount of work was done to build the necessary organizational infrastructure and necessary partnerships with all stakeholders. As the data emerges, the impact of the federal legislation will be fully known and the effects of tighter requirements and enforcement will be implemented. The resource demands and future budgetary issues will be more fully understood and substantiated once the impact of the federal legislation is determined.

## **APPENDIX A**

# Virginia Department of State Police Sex Offender Registry (SOR) Regions

## TELEPHONE NUMBERS

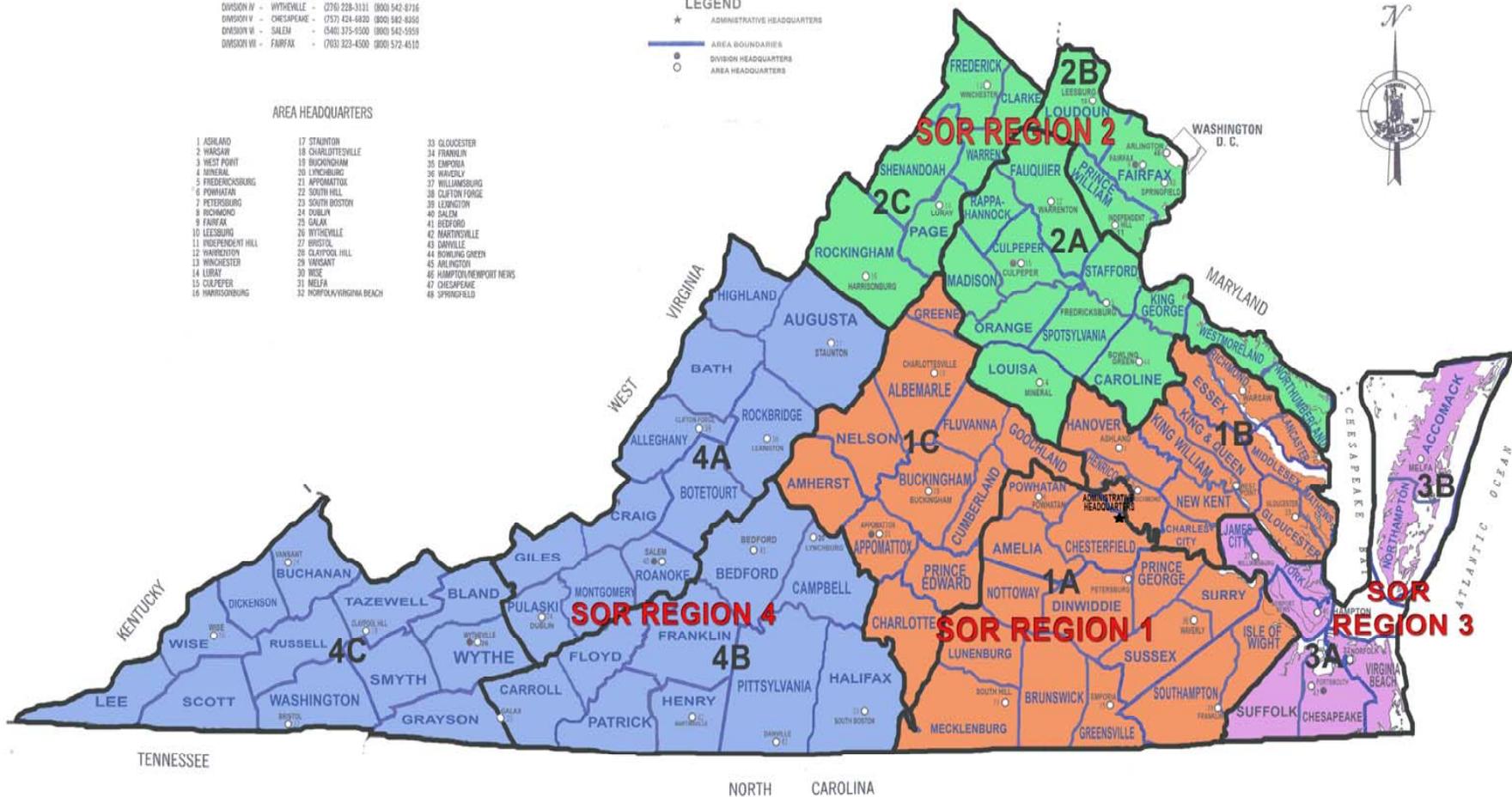
DIVISION I - RICHMOND	- (804) 553-3444	(800) 552-9955
DIVISION II - CULPEPER	- (540) 829-7401	(800) 277-2750
DIVISION III - APPOMATOX	- (434) 352-7128	(800) 552-0952
DIVISION IV - WYTHEVILLE	- (276) 228-3111	(800) 542-8716
DIVISION V - CHESAPEAKE	- (757) 424-6820	(800) 542-8650
DIVISION VI - SALEM	- (540) 375-5500	(800) 542-5555
DIVISION VII - FAIRFAX	- (703) 323-4500	(800) 572-4510

## AREA HEADQUARTERS

1 ASHLAND	17 STAUNTON	33 GLOUCESTER
2 WARSAW	18 CHARLOTTEVILLE	34 FRANKLIN
3 WEST POINT	19 BUCKINGHAM	35 EMPORIA
4 MINERAL	20 LYNCHBURG	36 WINCHESTER
5 FREDERICKSBURG	21 APPOMATOX	37 WILLIAMSBURG
6 POWHATAN	22 SOUTH HILL	38 CLIFTON FORGE
7 PETERSBURG	23 SOUTH BOSTON	39 LEWINGTON
8 RICHMOND	24 DUBLIN	40 SALEM
9 FAIRFAX	25 GALAX	41 BEDFORD
10 LEESBURG	26 WYTHEVILLE	42 MARTINSVILLE
11 WEEPERSUCK HILL	27 BRISTOL	43 DANVILLE
12 HARRINGTON	28 CLAYPOOL HILL	44 BOWLING GREEN
13 WINCHESTER	29 VINCANN	45 ARLINGTON
14 LURAY	30 WISE	46 HAMPTON/NEWPORT NEWS
15 CULPEPER	31 MELFA	47 CHESAPEAKE
16 HARRISBURG	32 NORFOLK/VIRGINIA BEACH	48 SPRINGFIELD

## LEGEND

- ★ ADMINISTRATIVE HEADQUARTERS
- AREA BOUNDARIES
- DIVISION HEADQUARTERS
- AREA HEADQUARTERS



## **APPENDIX B**

**Sex Offender Investigative Unit  
Address Verifications Per Region**

**Table 1\***

<b>Location</b>	<b># To Be Verified</b>	<b># Verified</b>	<b>% Completed</b>
Region One	660	397	60%
Region Two	599	342	57%
Region Three	614	416	68%
Region Four	747	380	51%
<b>Totals</b>	<b>2620</b>	<b>1535</b>	<b>56%</b>

\* Information derived from the Virginia State Police Sex Offender Verification System.

**Sex Offender Investigative Unit  
Type Address Verification Per Region**

**Table 2**

<b>Location</b>	<b>Home/Change</b>	<b>Home/Initial</b>	<b>Home/Semi-Annual</b>	<b>Work/Change</b>	<b>Work/Initial</b>	<b>Work/Semi-Annual</b>
Region One	178	145	165	88	79	23
Region Two	150	148	143	115	89	25
Region Three	154	108	75	126	77	22
Region Four	165	150	115	188	55	37
<b>Totals</b>	<b>647</b>	<b>551</b>	<b>498</b>	<b>517</b>	<b>300</b>	<b>107</b>

**Sex Offender Investigative Unit  
Criminal Investigations Per Region**

**Table 3\***

<b>Location</b>	<b># Cases</b>
Region One	849
Region Two	367
Region Three	998
Region Four	797
<b>Totals</b>	<b>3011</b>

\*Information derived from Virginia State Police Criminal Investigative Report File and FACTS System.

**Sex Offender Investigative Unit  
Conviction by Jurisdiction Since 7/01/06**

**Table 4**

<b>Jurisdiction Name</b>	<b>Type of Violation</b>	<b>Count</b>
Accomack County	Providing False Information	1
Amherst County	Failure to Register	1
Buckingham County	Providing False Information	1
Carroll County	Providing False Information	2
Chesterfield County	Providing False Information	10
Chesterfield County	Failure to Register	1
Culpeper County	Providing False Information	2
Dinwiddie County	Failure to Register	2
Fauquier County	Failure to Register	1
Henrico County	Providing False Information	1
Isle of Wight County	Failure to Register	1
James City County	Providing False Information	1
Mecklenburg County	Providing False Information	2
Mecklenburg County	Failure to Register	1
Orange County	Providing False Information	6
Prince William County	Providing False Information	5
Rockingham County	Providing False Information	2
Shenandoah County	Providing False Information	2
Tazewell County	Failure to Register	3
Warren County	Failure to Register	1
Washington County	Failure to Register	5
York County	Providing False Information	2
Bristol	Providing False Information	2
Charlottesville	Failure to Register	2
Fredericksburg	Providing False Information	1
Galax	Providing False Information	1
Petersburg	Failure to Register	1
Portsmouth	Failure to Register	1
Richmond City	Failure to Register	2
Richmond City	Providing False Information	13
Roanoke	Failure to Register	1
Roanoke	Providing False Information	1
Virginia Beach	Providing False Information	1
Williamsburg	Providing False Information	1
	<b>TOTAL</b>	<b>80</b>

## **Sex Offender Investigative Unit Operation Falcon III Initiative Results**

### **Region One**

Participation in this initiative occurred during seven days.

Division One Sex Offender troopers participated as well as the Division One Fugitive Unit.

There were 59 total arrests made with 12 of those arrests for SOR violations.

There was a total of 72 hours worked by Department personnel during this operation.

The United States Marshal Service, Drug Enforcement Administration, Social Security Administration, Immigration and Customs Enforcement, DOC, and various local law enforcement agencies participated.

### **Region Two**

Participation in this initiative occurred during seven days.

Troopers from the Division Seven SWIFT (Sex Offender Weapons Investigations Fugitive Task Force) Unit participated as well as the Division Seven Fugitive Unit.

There were 43 total arrests made with 10 of those arrests for SOR violations.

There was a total of 84 hours worked by Department personnel during this operation.

The United States Marshal Service, Drug Enforcement Administration, Immigration and Customs Enforcement, DOC, and various local law enforcement agencies participated.

### **Region Three**

Participation in this initiative occurred during seven days.

Troopers and Sex Offender troopers from Division Five participated as well as the Division Five Fugitive Unit.

There were 111 total arrests made with 28 of those arrests for SOR violations.

There was a total of 308 hours worked by Department personnel during this operation.

The United States Marshal Service, Drug Enforcement Administration, Immigration and Customs Enforcement, DOC, and various local law enforcement agencies participated.

### **Region Four**

Participation in this initiative occurred during seven days.

Division Six Fugitive Unit participated.

There were 70 total arrests made with 11 of those arrests for SOR violations.

There were a total of 30 hours worked by Department personnel during this operation.

The United States Marshal Service, DOC, Immigration and Customs Enforcement, and various local law enforcement agencies participated.