

***MONITORING OF OFFENDERS REQUIRED TO
COMPLY WITH THE SEX OFFENDER REGISTRY
REQUIREMENTS***

**A Report to the Governor, House Appropriations Committee,
And Senate Finance Committee**



January 2013

**Colonel W. Steven Flaherty
Superintendent**



COMMONWEALTH OF VIRGINIA

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January 1, 2013

TO: The Honorable Robert F. McDonnell, Governor of Virginia

The Honorable Charles J. Colgan
Chairman of the Senate Finance Committee

The Honorable Lacey E. Putney
Chairman of the House Appropriations Committee

Pursuant to the Appropriation Act, Item 417, G.2. (Special Session 1, 2012), I am respectfully submitting herewith, a *Report on Monitoring of Offenders Required to Comply with the Sex Offender Registry Requirements*. The report is a compilation of the Department's efforts from December 1, 2011, through November 30, 2012.

Respectfully,

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

Superintendent

WSF/CAV

Enclosure

**Report on Monitoring of Offenders Required to Comply with
the Sex Offender Registry Requirements**

Preface

Pursuant to the Appropriation Act, Item 417, G.2. (Special Session 1, 2012), the Department of State Police is pleased to provide this report on the monitoring of offenders required to comply with the Sex Offender Registry requirements.

Creation and Staffing

The 2006 Session of the Virginia General Assembly allocated the Virginia State Police (VSP) 45 sworn full time equivalents (FTEs) as an enforcement component of the Sex Offender Registry.

In July 2006, the Sex Offender Investigative Unit (SOIU) was established, consisting of one first sergeant position, four sergeant positions, and 40 trooper positions. This unit was placed within the Criminal Justice Information Services Division in the Bureau of Administrative and Support Services. The positions of the unit were constructed to provide an enforcement of the sex offender registry laws pursuant to Title 9.1 of the *Code of Virginia*. To ensure proper distribution of these positions, an in-depth analysis of the existing sex offender population was conducted, resulting in the creation of four regions with one sergeant and ten troopers assigned to each region. Each region is further divided into smaller geographical areas to ensure the sex offender population is properly served.

In 2006, when the SOIU was originally conceived, the offender to trooper ratio was 120:1. In the six years since the implementation of the SOIU, legislative changes requiring additional types of offenders to register, coupled with the growth of the sex offender population, have pushed the ratio of sex offenders to troopers to 192:1.

Currently, the SOIU monitors, registers, re-registers, and verifies employment and residency of 7,699 sex offenders. The *2010 Manpower Augmentation Plan* staffing model recommends the Department assign one trooper per 100 sex offenders living in Virginia communities. Implementation of this staffing model would require 37 additional troopers.

Effective July 1, 2012, 43 civilian compliance officer positions were authorized within the Sex Offender Investigative Unit. The positions were advertised in March, 2012, in anticipation of the newly created positions. The Department received 2,616 applications. The applicants were screened, interviewed and underwent a thorough background investigation. Twenty-five compliance officers were hired on July 9, 2012. The compliance officers completed two weeks of training at the Virginia State Police Academy, receiving training in 18 different topics, to include sex offender laws, methods of effective information gathering, database utilization, report writing, civil liability, ethics & leadership, and defensive tactics. Upon graduating, the compliance officers were assigned to SOIU troopers for completion of field training. An additional 15 compliance officers were hired October 15, 2012, and have since completed their academy and field training. One compliance officer has since resigned. Therefore, a total of 39 compliance officers are currently employed, with 4 positions remaining vacant. The Department will fill these positions in the near future as additional applicants are vetted, interviewed and meet the strenuous background requirements of the agency.

The compliance officers will complete all required training and re-certifications that may arise. They will complete their Virginia Criminal Information Network (VCIN) certifications, and will have access to all the databases necessary to adequately

perform their jobs. They are issued a cellular telephone, a small purchase credit card, and a voyager card. Additionally, they are supplied with oleoresin capsicum (pepper spray) for personal defense, a pepper spray holder, a flashlight, a flashlight ring, and a clipboard. Their issued laptop computers will arrive in December 2012. STARS radios, purchased through a Byrne/Justice Assistance Grant, will be installed in their issued Nissan Versas in the coming months. The radio will provide them an added level of security via a means of communication to call for assistance if they are threatened or assaulted by the convicted sex offenders they encounter during the course of completing their verification assignments.

A thorough analysis was conducted regarding the location of registered sex offenders resulting in a matrix for the assignment of the compliance officers based on sex offender population density. The compliance officers continue to conduct and complete assigned home and employment verifications, to include both the semi-annual and 30-day verifications required by statute. In addition to the verifications, they also complete the necessary reports, perform other administrative/clerical duties, and are available for court appearances and testimony. The Virginia State Police will use them to complement troopers in the Sex Offender Investigative Unit, with the goal of easing the verification workload of the troopers so they can focus on the criminal investigations.

An Office Services Specialist II is needed in each of the four regions for clerical support of the Sex Offender Investigative Unit. Each region of the SOIU consists of 20-21 sworn personnel and compliance officers with no support personnel to assist with the vast quantity of paperwork. The regions have essentially doubled in size since July. During the past year, the SOIU troopers have initiated 2,508 criminal investigations, which is a 16 percent increase from the previous year. The generation of criminal cases and the subsequent investigations conducted by the troopers will only increase as a result of the compliance officers' efforts. To allow the sergeants more time to perform case reviews and provide proper oversight, civilian support staff is needed.

Goals and Objectives

The overall objective of the Sex Offender Investigative Unit 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*. The Sex Offender Investigative Unit is committed to monitoring and prosecuting sex offenders who fail to comply with Title 9.1 of the *Code of Virginia*. The following information provides an overview of the mission and accomplishments of the Sex Offender Investigative Unit.

Sex Offender and Crimes Against Minors Registry (SOR) Verifications

As of December 1, 2012, there were 19,530 sex offenders listed on the Virginia State Police Sex Offender Registry. They are divided into three groups: (1) 3,536 registrants under the purview of the Department of Corrections Probation and Parole Services, (2) 7,699 sex offenders whose registration and verifications are the responsibility of the Department of State Police, and (3) the remaining 8,295 registrants who are incarcerated in jails or prisons across the state.

The Virginia Department of State Police has developed and maintains a web-based system for recording and monitoring residential and employment address verifications. This database is utilized by Virginia State Police troopers and compliance officers, as well as Department of Corrections (DOC) probation and parole officers tasked with completing the verification process. Our agency conducts the training, and these probation and parole officers, as well as the troopers and compliance officers assigned to the SOIU, are trained in the system.

From December 1, 2011, to November 30, 2012, VSP SOIU conducted 18,995 verifications of home and work addresses.

Registry Violations

From December 1, 2011, through November 30, 2012, the Virginia State Police conducted 2,508 criminal investigations for failing to register pursuant to § 9.1-902 and providing false information pursuant to §18.2-472.1. During this same period, there were 644 arrests made across the Commonwealth by the SOIU for violations of the aforementioned offenses, with 534 convictions. Many cases are still pending trial. These investigations were initiated from troopers' observations, tips from citizens, information from other law enforcement agencies, information from the Department of Corrections, and other states' sex offender registries. The SOIU received 1,305 tips/comments regarding potential registry violations through the Department's Sex Offender Registry website. Virtually all of them required follow up investigations.

Coordination with Other State and Local Law Enforcement Organizations

Interagency coordination during this reporting period includes the following:

- VSP and DOC - VSP has developed the Sex Offender Verification (SOV) System, which is also used by DOC. VSP continues to conduct training for both agencies.
- VSP and DOC - Area offices register or re-register each incoming sex offender and work to process offenders who are under the supervision of Probation and Parole.
- VSP and DOC - Offenders are monitored through joint initiatives, such as the Halloween meetings that took place at several Probation and Parole offices. These meetings were designed to monitor offender movement during this children's celebration of the fall season.
- VSP and the United States Marshals Service – From March 26 - 28, 2012, teams of U.S. Marshals and VSP troopers participated in Operation Star City (City of Roanoke, Roanoke County, and Salem). The mission of this assignment was to conduct sex offender residence and employment verifications, as well as investigate violations and arrest offenders who were not in compliance with statutory requirements. Two felony warrants were served on located offenders and this initiative also resulted in seven indictments on registered sex offenders.

- VSP and the United States Marshals Service – From September 11 - 20, 2012, teams of U.S. Marshals and VSP troopers participated in Operation Shenandoah Valley. This was a sex offender compliance/enforcement initiative targeting violations of the Virginia Sex Offender Registration laws by offenders in the Shenandoah Valley area. There were approximately 80 registered sex offenders who were targeted for verification within the cities of Waynesboro and Staunton, and the counties of Augusta and Highland.
- VSP and the United States Marshals Service – From September 10 - 13 and September 17 - 20, 2012, teams of U.S. Marshals and VSP troopers participated in Operation Highland. This was a sex offender compliance/enforcement initiative targeting violations of the Virginia Sex Offender Registration laws by offenders in the Highland area of Southwest Virginia. There were approximately 120 registered sex offenders who were targeted for verification within the counties of Washington (to include the City of Bristol), Russell, and Tazewell.
- VSP and the United States Immigration and Customs Enforcement - On March 24 - 27, 2012, teams of U.S. Immigration and Custom Enforcement agents and VSP troopers participated in the I.C.E. Cross Check Operation. It was an initiative attempting to serve administrative warrants on approximately 41 subjects in the Richmond area and 15 in the Lynchburg area.
- VSP and other states - VSP worked with several out-of-state registries to locate and apprehend absconders who crossed state lines to escape compliance with sex offender registration requirements.
- VSP and local agencies - VSP developed small task force initiatives with local agencies across the state with the goal of enhancing investigations surrounding SOR violations and to improve the line of communication throughout Virginia's criminal justice system.

Sex Offender Investigative Unit

The below data represents the time period of December 1, 2011, to November 30, 2012, and is provided to illustrate the quantity and quality of work performed by the SOIU.

Address Verifications per Region

Region	# To Be Verified	# Verified	Percent Completed
Region One	0	4,936	100%
Region Two	0	4,498	100%
Region Three	0	4,746	100%
Region Four	0	4,815	100%
Totals	0	18,995	100%

Address Verification per Region

Region	Home Address Change	Home Initial Verification	Home Semi-Annual Verification	Work Address Change	School Address Change	Other
Region One	858	55	2,823	621	27	552
Region Two	668	80	2,722	584	22	422
Region Three	846	67	2,857	501	25	450
Region Four	867	60	2,949	500	12	427
Totals	3,239	262	11,351	2,206	86	1,851

Criminal Investigations per Region From December 1, 2011, to November 30, 2012

Location	# Cases
Region One	707
Region Two	506
Region Three	822
Region Four	473
Total	2,508

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

Failure to Register Convictions by Jurisdiction 12/1/2011 – 11/30/2012

JURISDICTION NAME	COUNT
ACCOMACK CO	3
ALBEMARLE CO	5
ALLEGHANY	1
AMELIA CO	1
AMHERST CO	5
ARLINGTON CO	1
AUGUSTA CO	3
BEDFORD CO	2
BRUNSWICK CO	3
BUCKINGHAM CO	4
CAMPBELL CO	1
CAROLINE CO	2
CHESTERFIELD CO	26
CRAIG CO	1
CULPEPER CO	1
FAIRFAX CO	28
FAUQUIER CO	2
FLUVANNA CO	4
FRANKLIN CO	4
FREDERICK CO	2
GOOCHLAND CO	1
GRAYSON CO	1
GREENE CO	1
GREENSVILLE CO	1
HALIFAX CO	5
HANOVER CO	7
HENRICO CO	32
HENRY CO	2
ISLE OF WIGHT CO	1
KING GEORGE CO	1
LEE CO	2
LOUDOUN CO	8
LOUISA CO	1
MATHEWS CO	2
MECKLENBURG CO	5
MONTGOMERY CO	4
NELSON CO	1
NORTHAMPTON CO	1
NORTHUMBERLAND CO	1
NOTTOWAY CO	1
PITTSYLVANIA CO	5
PRINCE GEORGE CO	1

JURISDICTION NAME	COUNT
PRINCE WILLIAM CO	18
PULASKI CO	4
ROCKINGHAM CO	1
SMYTH CO	1
SOUTHAMPTON CO	3
SPOTSYLVANIA CO	6
STAFFORD CO	4
SURRY CO	1
TAZEWELL CO	1
WARREN CO	4
WISE CO	3
YORK CO	3
ALEXANDRIA	4
BRISTOL	1
CHARLOTTESVILLE	10
CHESAPEAKE	15
COLONIAL HEIGHTS	1
DANVILLE	11
FREDERICKSBURG	10
HAMPTON	12
HOPEWELL	2
LYNCHBURG	14
NEWPORT NEWS	20
NORFOLK	54
PETERSBURG	10
PORTSMOUTH	20
RADFORD	1
RICHMOND	56
ROANOKE	23
STAUNTON	1
SUFFOLK	6
VIRGINIA BEACH	23
WAYNESBORO	2
WILLIAMSBURG	3
WINCHESTER	3
TOTAL	534

Virginia Department of State Police

Sex Offender Registry (SOR) Regions

TELEPHONE NUMBERS

DIVISION I - RICHMOND	- (804) 553-3444	(800) 552-6963
DIVISION II - CALPEPER	- (540) 825-7461	(800) 277-2160
DIVISION III - APPOMATTOX	- (540) 832-7128	(800) 552-0962
DIVISION IV - WYTHEVILLE	- (276) 228-3131	(800) 542-8716
DIVISION V - CHESAPEAKE	- (757) 424-6830	(800) 542-8350
DIVISION VI - SALEM	- (540) 375-9300	(800) 542-5559
DIVISION VII - FAIRFAX	- (703) 823-4500	(800) 572-4310

AREA HEADQUARTERS

1 ADIRLAND	17 STANTON	33 GLOUCESTER
2 WARGAW	18 CHARLOTTEVILLE	34 FRANKLIN
3 WEST POINT	19 ROCKINGHAM	35 EMPORIA
4 BIRDA	20 LYNCHBURG	36 WARREN
5 FREDERICKSBURG	21 APPOMATTOX	37 WILLIAMSBURG
6 POMFRET	22 SOUTH HILL	38 CLIFTON FORGE
7 PETERSBURG	23 SOUTH BROOK	39 LEONTON
8 RICHMOND	24 DOUBLIN	40 SALEM
9 FAIRFAX	25 GALAX	41 BEDFORD
10 LEEZBURG	26 WYTHEVILLE	42 MARTINSVILLE
11 INDEPENDENT HILL	27 BRISTOL	43 DANVILLE
12 HARRINGTON	28 CLAYPOOL HILL	44 BOWLING GREEN
13 WINCHESTER	29 VAUGHAN	45 ARLINGTON
14 LURAY	30 WISE	46 HAMPTON/NEWMPORT NEWS
15 CALPEPER	31 MELFA	47 CHESAPEAKE
16 HARRISBURG	32 PORTFOLK/VIRGINIA BEACH	48 SPRINGFIELD

LEGEND

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

