

**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 2018

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Superintendent**



COMMONWEALTH OF VIRGINIA

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January 1, 2018

TO: The Honorable Terry R. McAuliffe, Governor of Virginia

The Honorable Thomas K. Norment, Jr.
Co-Chairman of the Senate Finance Committee

The Honorable Emmett W. Hanger, Jr.
Co-Chairman of the Senate Finance Committee

The Honorable S. Chris Jones
Chairman of the House Appropriations Committee

Pursuant to the 2009 Appropriation Act, 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 October 16, 2016, through October 15, 2017.

Respectfully,

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

Superintendent

WSF/wsf

Enclosure

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

Preface

Pursuant to the Appropriation Act, 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 45 sworn FTEs (full time equivalents) 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 forty 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 established 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 ten 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, has pushed the ratio of sex offenders to troopers to 255:1. 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.

Currently, the SOIU monitors, registers, re-registers, and verifies employment and residency of 10,239 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 62 additional troopers.

Effective July 1, 2012, 43 civilian compliance officer positions within the SOIU were authorized. 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-four (24) 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 eighteen 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 also completed their academy and field training. Over the last five years, some of the compliance officers have resigned, and more have been hired. Thirty-five (35) compliance officers are currently employed, with the vacant positions being the Fairfax, Petersburg, Danville, Franklin and two (2) positions in both the Richmond and Roanoke duty posts. The Department is currently in the process of filling these positions.

The compliance officers complete all required training and re-certifications that arise. They have access to all the databases necessary to adequately perform their jobs. They are issued a cellular telephone, small purchase credit card, and voyager card. Additionally, they are supplied with oleoresin capsicum (pepper spray) for personal defense, a pepper spray holder, flashlight, flashlight ring, and a clipboard. They are issued laptop computers and STARS radios (purchased through a Byrne/JAG grant) which are installed in their issued Nissan Versas. The radio provides them an added level of security, and serves as a means of communication if they are threatened or assaulted by the convicted sex offender during the course of 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 use them to complement troopers in the SOIU, 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 SOIU. Each region of the SOIU consists of 21-23 sworn personnel and compliance officers, with no support personnel to assist with the flow of the vast quantity of paperwork. The regions have essentially doubled in size since July, 2012. During the past year, the SOIU troopers have initiated 2,532 criminal investigations. Non-sworn support staff is needed to allow the sergeants more time to perform case reviews and provide proper oversight.

Goals and Objectives

The overall objective of the SOIU 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 SOIU 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 production and progress of the SOIU.

Sex Offender and Crimes Against Minors Registry (SOR) Verifications

As of November 7, 2017, there were 23,157 sex offenders listed on the Virginia State Police Sex Offender and Crimes Against Minors Registry. They are divided into three groups: (1) 3,446 registrants under the purview of the Department of Corrections Probation and Parole Services, (2) 10,239 sex offenders whose registration and verifications are the responsibility of the Department of State Police, and (3) the remaining 9,472 registrants are civilly committed or 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 for the probation and parole officers, as well as the troopers and compliance officers assigned to the SOIU.

In the past twelve months, from October 16, 2016, to October 15, 2017, VSP SOIU conducted 25,149 verifications of home, work, and school addresses.

Registry Violations

In the past twelve months, from October 16, 2016, through October 15, 2017, the Virginia State Police conducted 2,532 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 543 convictions from arrests made across the Commonwealth by the SOIU for violations of the aforementioned offenses. 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 514 tips regarding potential registry violations through the Department's Sex Offender and Crimes Against Minors 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 operates the Sex Offender Verification (SOV) System, which is also used by DOC. VSP continues to conduct training for both agencies.
- VSP and DOC – VSP 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 take place at many Probation and Parole District Offices. These meetings are designed to monitor offender movement during this children's celebration of the fall season, and also educate the offenders on their registration requirements.
- VSP and DOC – During 2017, the SOIU set up meetings with Probation and Parole District Offices to provide probationary offenders the contact information for troopers and compliance officers. This information is needed by offenders when they have questions, or when they have any changes that need to be reported.

- VSP and the United States Marshals Service (USMS) – VSP SOIU Regions I, II, and IV now each have a trooper assigned to the USMS Task Force.
- VSP and the United States Marshals Service (USMS) – VSP collaborates with the USMS to apprehend violent sex offenders at large across the country. Once located, VSP SOIU personnel team with the local VSP BCI Fugitive Apprehension Unit to transport the fugitive back to Virginia.
- VSP and the United States Marshals Service (USMS) – Operation Hook and Haul and Operation Can't Beat the Heat. These joint operations were conducted for compliance verifications and fugitive apprehension.
- VSP and other states - VSP worked with numerous out-of-state registries to locate and apprehend absconders who crossed state lines to escape compliance with sex offender registration requirements. This enables the SOIU troopers and compliance officers to extend their network of contacts.
- 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.
- VSP and local agencies – VSP SOIU and SOR personnel worked with local police agencies and courts across the state to research and create the Virginia Sex Offender and Crimes Against Minors Supplemental Registry. The Supplemental Registry was added to the SOR website on January 1, 2016.
- VSP and local agencies – VSP collaborated with regional jails to flag offenders in order to ensure a new SP-236 is completed prior to release.
- VSP and local agencies – VSP SOIU Region IV coordinated with Roanoke City and County General District Court Judges in charge of the Therapeutic docket to explore the idea of enrolling offenders diagnosed with mental disorders. This process allows the court to access services to mitigate recidivism.
- VSP and educational facilities – Region IV personnel meet with Roanoke County School Resource Officers to collaborate and enhance each operation. Both entities now have contact information and a framework for approaching investigations with one another.
- VSP and educational facilities – A Region II trooper instructs an informational class to criminal justice majors at Germanna Community College. The subject matter pertained to sex offender registration requirements.

- VSP and U.S. Postal Service (USPS) – Region IV continued collaboration with USPS to address postal issues and to aid with leads during criminal investigations.
- VSP – Created a Sex Offender and Crimes Against Minors Registry Guidelines brochure to hand out to registered offenders. The brochure was created to outline registration laws and requirements in plain language.
- VSP – Updated the Sex Offender and Crimes Against Minors Registration Form (SP236) on July 1, 2016. The update form incorporated new legislative information and improved offender data entry fields. The updated form was distributed to all law enforcement agencies across the state.
- VSP Training- SOIU Compliance Officer In-Service Training- Compliance Officers attended a two day in-service training session in October of 2017. Training included legal update, defensive tactics, review of policy and procedure, driver training, OC recertification etc.
- VSP Training– Investigating & Prosecuting Sex Offender Registration Violations Conference- VSP sponsored a two day training session related to investigating and prosecuting sex offender registration violations. Twenty-five jurisdictions send a representative from the Commonwealth Attorney's Office to attend this training with the SOIU trooper assigned to their jurisdiction.

Sex Offender Investigative Unit

The below data represents the time period of October 16, 2016, to October 15, 2017, 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	6,731	100%
Region Two	0	5,969	100%
Region Three	0	6,084	100%
Region Four	0	6,365	100%
Totals	0	25,149	100%

Address Verifications per Region

Region	Home Address Change	Home Initial Verification	Home Semi-Annual Verification	Work Address Change	School Address Change	Other
Region One	983	31	4,097	881	14	725
Region Two	786	61	3,765	746	16	595
Region Three	956	51	3,858	666	22	531
Region Four	945	53	4,135	687	7	538
Totals	3,670	196	15,855	2,980	59	2,389

Criminal Investigations per Region From October 16, 2016, to October 15, 2017

Location	# Cases
Region One	725
Region Two	359
Region Three	898
Region Four	550
Total	2,532

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

Failure to Register Convictions by Jurisdiction 10/16/2016 – 10/15/2017

Jurisdiction	Count		
ACCOMACK CO	1	HANOVER CO	7
ALBEMARLE CO	3	HENRICO CO	38
ALEXANDRIA	1	HENRY CO	1
ALLEGHANY CO	1	HOPEWELL	3
AMELIA CO	2	JAMES CITY CO	3
AMHERST CO	3	LEE CO	2
APPOMATTOX CO	2	LOUDOUN CO	5
ARLINGTON CO	4	LOUISA CO	6
AUGUSTA CO	5	LUNENBURG CO	1
BATH CO	5	LYNCHBURG	5
BEDFORD CO	3	MADISON CO	1
BOTETOURT CO	1	MARTINSVILLE	1
BRISTOL	4	MECKLENBURG CO	5
BUENA VISTA	1	NEW KENT CO	1
CAMPBELL CO	3	NEWPORT NEWS	31
CAROLINE CO	2	NORFOLK	45
CARROLL CO	3	NORTHAMPTON CO	2
CHARLOTTESVILLE	12	NOTTOWAY CO	1
CHESAPEAKE	13	ORANGE CO	2
CHESTERFIELD CO	33	PAGE CO	1
COLONIAL HEIGHTS	6	PATRICK CO	1
CULPEPER CO	5	PETERSBURG	9
DANVILLE	1	PITTSYLVANIA CO	6
DINWIDDIE CO	4	PORTSMOUTH	13
ESSEX CO	1	PRINCE EDWARD CO	1
FAIRFAX CO	14	PRINCE WILLIAM CO	16
FAUQUIER CO	1	PULASKI CO	2
FLUVANNA CO	1	RICHMOND CITY	81
FRANKLIN CO	2	ROANOKE CO	12
FREDERICK CO	4	ROCKINGHAM CO	2
FREDERICKSBURG	3	RUSSELL CO	4
GALAX	1	SALEM	2
GILES CO	3	SOUTHAMPTON CO	1
GOOCHLAND CO	1	SPOTSYLVANIA CO	4
GRAYSON CO	3	STAFFORD CO	2
GREENE CO	1	STAUNTON	6
GREENSVILLE CO	4	SUFFOLK	4
HALIFAX CO	4	TAZEWELL CO	1
HAMPTON	12	VIRGINIA BEACH	28
		WARREN CO	4
		WASHINGTON CO	1

WAYNESBORO	2
WILLIAMSBURG	1
WINCHESTER CITY	4
YORK CO	2
Total	543

