

***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 2020

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Superintendent**



COMMONWEALTH OF VIRGINIA

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January 1, 2020

TO: The Honorable Ralph Northam, 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, 2018, through October 15, 2019.

Respectfully,

Superintendent

GTS/gts

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 thirteen 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 279:1.

Currently, the SOIU monitors, registers, re-registers, and verifies employment and residency of 11,187 sex offenders. The *2017 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 72 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 seven years, there has been a high level of turnover in the compliance officer ranks. Over the last two and a half years there have been a total of 24 vacancies statewide, with the department filling 17 of those vacancies. Thirty-five (35) compliance officers are currently employed, with the vacant positions being in the Arlington, Charlottesville, Chesterfield, Lynchburg, Norfolk, Richmond City, and Roanoke County duty posts. The Department is currently in the process of filling these positions.

The compliance officers complete all required training and now attend in-service training biannually for re-certifications. They have access to all the databases necessary to adequately perform their jobs. They are issued an I-phone, small purchase credit card, and voyager fuel purchase 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 vehicles. 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. This analysis will be completed again in 2020 to determine where to best position both sworn and civilian personnel. 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.

With the growing number of offenders and investigations, the conversion of 43 authorized Sex Offender Investigative Unit (SOIU) civilian Compliance Officer (CO) positions to 43 sworn positions consisting of one Sergeant (Supervisor), five Special Agents (SA), and 37 Trooper positions is recommended. One additional SOIU region would be created to improve the operational efficiency of the unit, bringing the number of SOIU regions to 5. An additional region and additional supervisor will reduce the supervision requirements of each SOIU Sergeant. This would also reduce the overwhelming amount of paperwork that each Sergeant is personally responsible for because they do not have administrative staff. State Police Policy calls for a maximum supervision ratio of 12:1 sworn or 15:1 civilian. Currently the Trooper/CO to Supervisor ratio is 21:1, nearly double the suggested ratio. With the implementation of this plan, the supervision requirement would be reduced to approximately 16:1.

Additionally, changes will:

- Allow troopers to conduct more in-depth investigations on offenders that are not in compliance
- Reduce the number of offenders that each trooper is responsible for allowing for more trooper / offender contact.
- Reduce the chance of an offender committing another offense by providing more oversight

Currently, 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. Division of current regions would reduce the number of personnel supervised by each sergeant. Additionally, an Office Services Specialist II is needed in each region for clerical support of the SOIU. The number of offenders in each region has nearly doubled in size since July, 2012. During the past year, the SOIU troopers have initiated 2751 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 14, 2019, there were 24,342 sex offenders listed on the Virginia State Police Sex Offender and Crimes Against Minors Registry. They are divided into three groups: (1) 3,571 registrants under the purview of the Department of Corrections Probation and Parole Services, (2) 11,187 sex offenders whose registration and verifications are the responsibility of the Department of State Police, and (3) the remaining 9,584 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, 2018, to October 15, 2019, VSP SOIU conducted 30,444 verifications of home, work, and school addresses.

Registry Violations

In the past twelve months, from October 16, 2018, through October 15, 2019, the Virginia State Police conducted 2,751 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 789 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 516 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 – In June 2019, the SOIU created a new form allowing Probation and Parole Offices to make it easier to register offenders. The use of the new form has already resulted in fewer offenders being investigated for failing to register.
- VSP and the United States Marshals Service (USMS) – VSP SOIU Regions I, II, and IV each have a trooper assigned to the USMS Task Force, which is mutually beneficial to both organizations.
- In March 2019 VSP SOIU and the USMS conducted Operation "March Madness". Focusing on Semi-annual verification as well as locating wanted offenders. During the month-long operation the unit conducted 595 verifications, opened 44 new cases, and made 12 arrests with 332.5 man hours devoted to the project.

- 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.
- The USMS notifies the Virginia Sex Offender Registry whenever a Virginia registered sex offender makes reservations to travel outside the country.
- VSP and the United States Marshals Service (USMS) – Richmond 2019, These joint operations were conducted for compliance verifications and fugitive apprehension. VSP and USMS served over 30 warrants during a month-long operation.
- VSP worked with the City of Newport News PD - November 2018, VSP helped serve some of the 5000 outstanding warrants in the city of Newport News over a two-day operation.
- 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 educational facilities – A Region II trooper instructed 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.
- Members of the Sex Offender Investigative Unit (SOIU) completed 13 training events across the Commonwealth. These events were intended to increase awareness of the sex offender registry and reduce errors among localities when registering offenders.
- 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.
- Members of the Registry attended the Office of Sex Offender Monitoring, Apprehending, Registering, and Tracking (SMART) Conference in Chicago Illinois to gain and share information on common practices found across the country for classification and registering of offenders. This conference is hosted

by the Office of Justice Programs in an effort to increase state compliance with the Sex Offender Registration and Notification Act (SORNA). SORNA is Title I of the Adam Walsh Child Protection and Safety Act of 2006 (Public Law 109-248). SORNA provides a comprehensive set of minimum standards for sex offender registration and notification in the United States. The Virginia State Police Sex Offender registry achieved substantial SORNA compliance in 2017.

Future Endeavors

In July 2020 Legislation will go into effect that provides a registration schedule based on the offender's date of birth for offenders to follow for reregistration. This will provide the offender a date range when they can expect their reregistration letter, and will make it easier for an offender to stay in compliance with registry requirements.

The Virginia State Police is currently in the process of replacing the current web-based Sex Offender and Crimes against Minors Registry in 2020. The new system, also web based, will streamline the process of registering and processing offenders assigned to the registry. The new system will better serve the citizens of the Commonwealth of Virginia by giving more accurate and timely information. Some benefits of the replacement Sex Offender Registry system include:

- Automation of paperless Sex Offender Registration/ Re-Registration Forms, which will create a more efficient registration process for law enforcement. This automated process will allow law enforcement to enter data directly into the registry system for registry and re-registration. Automated completion of registration will immediately provide Sex Offender registrants with a printed confirmation of compliance/ registration.
- Real time reporting of registration information from law enforcement and automated updates to registrant information will reduce the number of violations requiring investigation. This reduction in investigations will allow Sex Offender Investigative Unit personnel to conduct more education and outreach activities to offenders and the communities they serve.
- Automatic notification of violation of user configured exclusion zones. Exclusion zones can be configured by the Registry to include schools, daycare centers and other facilities as cited in VA code regarding registrants residing in proximity to children. Registrant addresses which are in violation of these exclusion zones will trigger an automatic alert to the Registry.
- Automated validation of all sex offender registration data against National Crime Information Center. The automated NCIC quality assurance will be a significant benefit for audit preparation purposes; expediting entry – meeting FBI time frames.

- A more efficient and user-friendly solution will automate sex offender registration and re-registration. Sex Offender Registry staff will be able to re-allocate time consuming efforts used in manual processes. This additional time will be applied to research and validation which will increase the accuracy of information and decrease the time it takes to add registrant information to the public facing web site.

Sex Offender Investigative Unit

The below data represents the time period of October 16, 2018, to October 15, 2019, and is provided to illustrate the quantity of work performed by the SOIU.

Address Verifications per Region

Region	Offenders Verified
Region One (Richmond)	8,037
Region Two (Northern VA)	7,184
Region Three (Chesapeake)	7,653
Region Four (Roanoke)	7,631
Totals	30,444

Address Verifications per Region

Region	Home Address Change	Home Initial Verification	Home Semi-Annual Verification	Work Address Change	School Address Change	Other
Region One	1174	26	4,290	1008	22	1517
Region Two	949	52	4,099	814	21	1249
Region Three	1261	52	4,095	818	29	1380
Region Four	1084	53	4,473	818	9	1194
Totals	4468	183	16,957	3,458	81	5,340

Criminal Investigations per Region
From October 16, 2018, to October 15, 2019

Location	# Cases
Region One	976
Region Two	430
Region Three	958
Region Four	387
Total	2,751

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

Fail to Register Convictions by Jurisdiction 10/16/2018-10/15/2019

Jurisdiction	Count		
		JAMES CITY CO	1
ACCOMACK CO	5	KING AND QUEEN CO	1
ALBEMARLE CO	7	KING GEORGE CO	3
ALLEGHANY CO	6	LANCASTER CO	1
AMELIA CO	2	LEE CO	2
AMHERST CO	7	LOUISA CO	2
APPOMATTOX CO	3	LUNENBURG CO	1
ARLINGTON CO	2	LYNCHBURG	20
AUGUSTA CO	4	MARTINSVILLE	1
BEDFORD CO	3	MECKLENBURG CO	7
BUCKINGHAM CO	2	MONTGOMERY CO	7
BUENA VISTA	1	NELSON CO	1
CAMPBELL CO	6	NEWPORT NEWS	39
CAROLINE CO	3	NORFOLK	52
CHARLOTTE CO	1	NORTHUMBERLAND CO	2
CHARLOTTESVILLE	5	NOTTOWAY CO	2
CHESAPEAKE	14	ORANGE CO	1
CHESTERFIELD CO	39	PAGE CO	1
CLARKE CO	1	PATRICK CO	1
COLONIAL HEIGHTS	6	PETERSBURG	7
CULPEPER CO	1	PORTSMOUTH	5
CUMBERLAND CO	2	POWHATAN CO	1
DANVILLE CO	6	PRINCE EDWARD CO	1
DINWIDDIE CO	4	PRINCE WILLIAM CO	6
ESSEX CO	1	PULASKI CO	5
FAIRFAX CO	21	RAPPAHANNOCK CO	1
FAUQUIER CO	2	RICHMOND CITY	51
FLOYD CO	1	ROANOKE CITY	1
FLUVANNA CO	2	ROANOKE CO	33
FRANKLIN CITY	1	ROCKBRIDGE CO	2
FRANKLIN CO	2	ROCKINGHAM CO	3

FREDERICK CO	5	SCOTT CO	2
FREDERICKSBURG	2	SPOTSYLVANIA CO	1
GILES CO	1	STAFFORD CO	4
GLOUCESTER CO	7	STAUNTON	3
GOOCHLAND CO	1	SUFFOLK	8
GREENE CO	1	TAZEWELL CO	3
GREENSVILLE CO	2	VIRGINIA BEACH	25
HALIFAX CO	1	WARREN CO	4
HAMPTON	26	WESTMORELAND CO	2
HANOVER CO	7	WILLIAMSBURG	2
HENRICO CO	18	WINCHESTER CITY	3
HENRY CO	3	WYTHE	2
HOPEWELL	14	YORK CO	1
ISLE OF WIGHT CO	2	Total	571

Virginia Department of State Police

Sex Offender Registry (SOR) Regions

TELEPHONE NUMBERS

DIVISION I - RICHMOND	- (804) 553-3444	(800) 552-8955
DIVISION II - CULPEPER	- (540) 829-7401	(800) 375-2790
DIVISION III - APPOMATTOX	- (434) 352-7128	(800) 552-0952
DIVISION IV - WYTHEVILLE	- (276) 228-3131	(800) 542-8716
DIVISION V - CHEESAPEAKE	- (757) 424-6820	(800) 582-8350
DIVISION VI - SALEM	- (540) 375-9500	(800) 542-5559
DIVISION VII - FAIRFAX	- (703) 323-4500	(800) 572-4510

AREA HEADQUARTERS

1 ASHLAND	17 STAUNTON	33 CLOUDESTER
2 WARSAW	18 CHARLOTTESVILLE	34 FRANKLIN
3 WEST POINT	19 ROCKINGHAM	35 EMPORIA
4 MINERAL	20 LINDSEBURG	36 WAREHOUSING
5 FREDERICKSBURG	21 APPOMATTOX	37 WILLIAMSBURG
6 POWHATAN	22 SOUTH HILL	38 CLIFTON FORGE
7 PETERSBURG	23 SOUTH BECHTOLD	39 LEVINGTON
8 RICHMOND	24 DUBLIN	40 SALEM
9 FAIRFAX	25 GALAX	41 BEDFORD
10 LEESBURG	26 WYTHEVILLE	42 MARTINSVILLE
11 FREDERICKSBURG	27 BRISTOL	43 DANVILLE
12 WARRENTON	28 CLAYPOOL HILL	44 BOWLING GREEN
13 WINCHESTER	29 VASANT	45 ARLINGTON
14 LURAY	30 WISE	46 HAMPTON/NEWMPORT NEWS
15 CULPEPER	31 MELFA	47 CHEESAPEAKE
16 HARRISBURG	32 NORFOLK/VIRGINIA BEACH	48 SPRINGFIELD

LEGEND

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

