

Colorado Notice to Register as a Sex Offender

STATUTORY AUTHORITY: Title 16, Article 22, Colorado Revised Statutes

Note: This notice applies to adults and juveniles

WHO MUST REGISTER

The following persons are required to register as sex offenders in the State of Colorado:

- Convicted on or after 7/1/91 in Colorado of an unlawful sexual offense, as in 18-3-411 (1), enticement of a child, as in 18-3-305, or internet luring of a child, as in 18-3-306;
- Convicted on or after 7/1/91 in another state or jurisdiction, to include military, tribal, territorial or federal jurisdiction, of an offense that, if committed in Colorado, would constitute an unlawful sexual offense, as in 18-3-411 (1), enticement of a child, as in 18-3-305, or internet luring of a child as in 18-3-306;
- Released on or after 7/1/91 from any department of corrections having served a sentence for an unlawful sexual offense, as defined in section 18-3-411 (1), enticement of a child, as described in section 18-3-305 or internet luring of a child, as in 18-3-306;
- Convicted on or after 7/1/94 in Colorado of an offense involving unlawful sexual behavior, or for which the factual basis involved such an offense, as defined below, or released from department of corrections having served a sentence for such an offense (including criminal attempts, solicitations, or conspiracies):
 - Sexual assault, in violation of section 18-3-402;
 - Sexual assault in the first degree, in violation of section 18-3-402, as it existed prior to July 1, 2000;
 - Sexual assault in the second degree, in violation of section 18-3-403, as it existed prior to July 1, 2000;
 - Unlawful sexual contact, in violation of section 18-3-404;
 - Sexual assault in the third degree, in violation of section 18-3-404 as it existed prior to July 1, 2000;
 - Sexual assault on a child, in violation of section 18-3-405;
 - Sexual assault on a child by one in a position of trust, in violation of section 18-3-405.3;
 - Sexual assault on a client by a psychotherapist, in violation of section 18-3-405.5;
 - Enticement of a child, in violation of section 18-3-305;
 - Incest, in violation of section 18-6-301;
 - Aggravated incest, in violation of section 18-6-302;
 - Human trafficking of a minor for sexual servitude, in violation of section 18-3-504(2);
 - Human trafficking for sexual servitude, in violation of section 18-3-504(1);
 - Sexual exploitation of children, in violation of section 18-6-403;
 - Procurement of a child for sexual exploitation, in violation of section 18-6-404;
 - Indecent exposure, in violation of section 18-7-302;
 - Soliciting for child prostitution, in violation of section 18-7-402;
 - Pandering of a child, in violation of section 18-7-403;
 - Procurement of a child, in violation of section 18-7-403.5;
 - Keeping a place of child prostitution, in violation of section 18-7-404;
 - Pimping of a child, in violation of section 18-7-405;
 - Inducement of child prostitution, in violation of section 18-7-405.5;
 - Patronizing a prostituted child, in violation of section 18-7-406;
 - Engaging in sexual conduct in a correctional institution, in violation of section 18-7-701;
 - Wholesale promotion of obscenity to a minor, in violation of 18-7-102(1.5);
 - Promotion of obscenity to a minor, in violation of 18-7-102(2.5);
 - Class 4 felony internet luring of a child, in violation of 18-3-306(3);
 - Internet sexual exploitation of a child, in violation of 18-3-405.4;
 - Public indecency 18-7-301(2)(b), if 2nd offense committed within 5 years of previous offense or a 3rd or subsequent offense;
 - Invasion of privacy for sexual gratification, in violation of section 18-3-405.6;
 - Second degree kidnapping, in violation of section 18-3-302(3)(a);
 - Unlawful electronic sexual communication, in violation of section 18-3-418;
 - Unlawful sexual conduct by a peace officer, in violation of section 18-3-405.7.
- Convicted of an offense in another state or jurisdiction (including military and federal) for which registration is required there or in Colorado, so long as such person is a temporary or permanent resident of Colorado.

DEFINITIONS

“**Convicted**” means having received a verdict of guilty by a judge or jury, having pleaded guilty or nolo contendere, having received a disposition as a juvenile, having been adjudicated a juvenile delinquent, or having received a deferred judgment and sentence or a deferred adjudication, pursuant to subsection (3) of section 16-22-102.

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“Lacks a Fixed Residence” means that a person does not have a living situation that meets the definition of “residence” pursuant to subsection (5.7) of section 16-22-102. “Lacks a fixed residence” may include, but need not be limited to, outdoor sleeping locations or any public or private locations not designed as traditional living accommodations. “Lacks a fixed residence” may also include temporary public or private housing or temporary shelter facilities, residential treatment facilities, or any other residential program or facility if the person remains at the location for less than fourteen days.

“Temporary resident” is any person who is employed in Colorado on a full-time or part-time basis, with or without compensation, for more than 14 consecutive business days or for an aggregate period of more than 30 days in any calendar year; enrolled in any type of educational institution in Colorado on a full-time or part-time basis; or present in Colorado for more than 14 consecutive business days or for an aggregate period of more than 30 days in any calendar year for any purpose, including but not limited to vacation, travel, or retirement, pursuant to subsection (8) of section 16-22-102. Temporary residents shall register within five business days of arrival in Colorado. A sex offender is required to register in any state in which he/she is a temporary resident.

CHILD SEX CRIMES

- Any person who is required to register and who has been convicted of a child sex crime (or criminal attempt, conspiracy, or solicitation to commit) shall be required to register all e-mail addresses, instant-messaging identities, or chat room identities prior to using the address or identity. Child sex crimes:
 - Sexual assault on a child, as in 18-3-405;
 - Sexual assault on a child by one in a position of trust, as in 18-3-405.3;
 - Unlawful sexual contact, as in 18-3-404(1.5);
 - Enticement of a child, as in 18-3-305;
 - Aggravated incest, as in 18-6-302(1)(b);
 - Human trafficking of a minor for sexual servitude, as in 18-3-504(2);
 - Sexual exploitation of children, as in 18-6-403;
 - Procurement of a child for sexual exploitation, as in 18-6-404;
 - Soliciting for child prostitution, as in 18-7-402;
 - Pandering of a child, as in 18-7-403;
 - Procurement of a child, as in 18-7-403.5;
 - Keeping a place of child prostitution, as in 18-7-404;
 - Pimping of a child, as in 18-7-405;
 - Inducement of child prostitution, as in 18-7-405.5;
 - Patronizing a prostituted child, as in 18-7-406;
 - Internet luring of a child, as in 18-3-306;
 - Internet sexual exploitation of a child, as in 18-3-405.4;
 - Wholesale promotion of obscenity to a minor, as in 18-7-102(1.5);
 - Promotion of obscenity to a minor, as in 18-7-102(2.5);
 - Sexual assault, as in 18-3-402(1)(d) & (1)(e);
 - Sexual assault in the second degree as it existed prior to July 1, 2000, as in 18-3-403(1)(e) & (1)(e.5).

WHEN TO REGISTER

- You must register during business hours within 5 business days of being released into the community or receiving this notice. If you are released from the department of corrections with no supervision, you must register the next business day. You must re-register annually within five business days before or after your birth date. You must register quarterly (every 3 months) for the remainder of your natural life if you have been found to be a sexually violent predator (SVP), if you were convicted as an adult in Colorado of any of the following listed offenses, or if you were convicted in another state or jurisdiction of an offense that requires quarterly registration in that state or jurisdiction, or would require quarterly registration if convicted in Colorado.
 - Felony sexual assault, in violation of section 18-3-402, or 1st degree sexual assault, in violation of section 18-3-402 as it existed prior to July 1, 2000, or 2nd degree sexual assault, in violation of section 18-3-403 as it existed prior to July 1, 2000, or;
 - Sexual assault on a child in violation of section 18-3-405, or;
 - Sexual assault on a child by one in a position of trust, in violation of section 18-3-405.3, or;
 - Sexual assault on a client by a psychotherapist, in violation of section 18-3-405.5, or;
 - Incest, in violation of section 18-6-301, or;
 - Aggravated incest, in violation of section 18-6-302.
- All other offenders not convicted of any of the above offenses, and/or those convicted of attempt, conspiracy, or solicitation to commit the above offenses, must register annually.
- If you move within the state, you must register with the local law enforcement agency in the jurisdiction where you move within 5 business days after moving. You must notify the local law enforcement agency where you live if you change residences within that agency’s jurisdiction or establish additional residences in that jurisdiction.
- You must re-register within 5 business days if you legally change your name.

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WHERE TO REGISTER

- If you are living within the limits of a city or town, you must register at the local police department.
- If you are living outside the limits of a city or town, you must register at the county sheriff's department.
- If you have multiple residences, you must register with law enforcement in each jurisdiction in which you reside.
- All registrants must provide a current photograph and a complete set of fingerprints at the time of registration and pay any fees imposed by the local law enforcement agency.
- If you change residence to another state or other jurisdiction outside of Colorado, you must report your new address to the law enforcement agencies where you are registered in Colorado.
- It is a requirement of the Adam Walsh Act that you register within 3 business days if you move out of state.

CAMPUS SEX CRIMES PREVENTION ACT (CLERY ACT)

At the time of registration, you must notify law enforcement if you are enrolled, employed, or volunteering at an institution of post-secondary education in Colorado, and of any change in such enrollment, employment, or volunteering (commencement or termination). If you begin enrollment, employment, or volunteering or change the location after you have registered, you must return to the law enforcement agency and report all required information.

FAILURE TO REGISTER

Failure to register, including failure to de-register when moving out of Colorado or leaving the country, submission of a false or incomplete registration form, or failure to comply with any requirements in this section, is a class 6 felony if the conviction or adjudication for the initial sex offense was a felony. Any second offense of failure to register is a class 5 felony. Failure to register is a misdemeanor if the conviction or adjudication for the initial sex offense was a misdemeanor, pursuant to section 18-3-412.5.

PETITION TO DISCONTINUE REGISTRATION

You must continue to register until a Colorado court releases you from this requirement. If you have not subsequently been convicted of an offense involving unlawful sexual behavior, you may file a petition with the court for an order to discontinue registration or website posting according to the timeframes below, pursuant to section 16-22-113. **SVP's, multiple offenders, and quarterly registrants are not eligible for this relief.**

If you suffer from a severe physical or intellectual disability, to the extent that you are permanently incapacitated and do not present an unreasonable public safety risk, you or your legal representative may file a petition with the court for an order to discontinue registration.

If the court enters an order discontinuing your duty to register, you must send a copy of the order to the local law enforcement agency where you are registered and the Colorado Bureau of Investigation.

Your offense:

- Class 1, 2, or 3 felony
(If not a quarterly offense)
- Class 4, 5, or 6 felony
- Unlawful sexual contact (M1) or
3rd degree sexual assault
- Other misdemeanors
- Deferred sentence or adjudication
- Internet website posting for failure to register
- If under 18 years of age when adjudicated
- Human trafficking for sexual servitude

When you may petition the court:

- 20 years from the date of final release from the jurisdiction of the court
- 10 years from the date of final release from the jurisdiction of the court
- 10 years from the date of final release from the jurisdiction of the court
- 5 years from the date of final release from the jurisdiction of the court
- After successful completion and dismissal of the case
- After one year of full compliance with registration requirements
- After successful completion and discharge from sentence
- After successful completion and discharge from sentence

LACKS A FIXED RESIDENCE

A sex offender who is required to register, is required to register within 5 business days before or after each time the offender ceases to lack a fixed residence and establishes a residence or ceases to reside at an address and lacks a fixed residence.

A sex offender who is subject to annual registration and who lacks a fixed residence is subject to the self-verification enhanced reporting process, and must self-report to their registration agency quarterly. A sex offender who is subject to quarterly registration and who lacks a fixed residence must self-report to their registration agency monthly.

A sex offender who is required to register and lacks a fixed residence, and who fails to comply with the self-verification enhanced reporting process is subject to prosecution for the crime of failure to verify location as a sex offender, pursuant to section 18-3-412.6.

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RESIDENCE VERIFICATION

The local law enforcement agency with which a sex offender registers must verify the residential address reported by the registrant as soon as possible following the registrant's first registration and at least annually thereafter. The address reported by a sexually violent predator will be verified quarterly, pursuant to section 16-22-109.

INTERNATIONAL TRAVEL

It is a requirement of the Adam Walsh Act, 34 U.S.C. § 21501 - 21510, that a registrant inform his or her residence jurisdiction of any intended travel outside of the United States at least 21 days prior to that travel. To comply with this requirement, you must now provide the following information to the agency where you register:

- Identifying information: Full name, alias(es), date of birth, sex, citizenship, and passport number and country
- Travel information: Destination(s) including dates/places of departure, arrival and return (including the name of city that is the point of departure from each country); means of travel (air, train, ship); itinerary details (including the name of the airport/train station/port, the flight/train/ship number, the time of departure/arrival, and information about any intermediate stop locations); address or other contact information in the destination country, and purpose(s) of travel (business, deportation, military, relocation, other)

Knowingly failing to provide information required by the Adam Walsh Act relating to intended international travel may result in charges of an international travel reporting violation. Penalties may include fines and/or imprisonment.

WEBSITE POSTING

The Colorado Bureau of Investigation (CBI) will post offenders in the following categories on the Colorado sex offender registry internet website: SVP's, those found to be SVP's under the laws of another state or jurisdiction, adults with two or more felony, sexual and/or violent offense convictions, adults who fail to register and were convicted of felony sex offenses and registered adult sex offenders convicted of felony sex offenses, pursuant to section 16-22-111.

The local law enforcement agency where an offender is registered may also post information on registered sex offenders on their website if they so choose. They may post adults convicted of a felony requiring them to register and adults convicted of a second or subsequent offense of certain misdemeanor offenses. They may also post juveniles with a second or subsequent adjudication involving unlawful sexual behavior or a crime of violence and juveniles required to register because of an adjudication for an offense that would have been a felony if committed by an adult and have also failed to register, pursuant to section 16-22-112.

ACKNOWLEDGEMENT OF NOTICE TO REGISTER

I acknowledge that I have received a copy of this notice, and I understand that I am required to register as a sex offender with the law enforcement agency of each jurisdiction in which I reside, pursuant to Title 16, Article 22, C.R.S., and that I will continue to register until a Colorado court releases me from this requirement. I understand that the information contained in this notice has been derived from Title 16, Article 22, C.R.S., Title 18, Article 3, C.R.S. and The Adam Walsh Child Protection and Safety Act, 34 U.S.C. § 20901 - 20945. I understand that it is my responsibility to obtain a copy of the statutes and/or seek legal counsel if I require further clarification. I further certify that at the time of this notice I reside at the address below.

REGISTRANT STREET ADDRESS OR HOMELESS/TRANSIENT LOCATION(S) (CROSS-STREETS, INTERSECTIONS, ETC.)		APARTMENT./UNIT NUMBER
REGISTRANT CITY	REGISTRANT STATE	REGISTRANT ZIP CODE
REGISTRANT PRINTED NAME		REGISTRANT DATE OF BIRTH
REGISTRANT SIGNATURE		CURRENT DATE
PARENT/GUARDIAN SIGNATURE		CURRENT DATE
SUPERVISING OFFICER OR STAFF PRINTED NAME/AGENCY	SUPERVISING OFFICER OR STAFF SIGNATURE/AGENCY	

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