



CRIMES REQUIRING SEX OFFENDER REGISTRATION

By: James Orlando, Senior Legislative Attorney

ISSUE

This report identifies the (1) crimes that require sex offender registration and (2) required registration period.

SUMMARY

Under Connecticut's sex offender registration law, certain offenders must register with the Department of Emergency Services and Public Protection for a specified period following their release into the community. The requirement applies to persons convicted, or acquitted by reason of mental disease or defect, of three categories of offenses. The categories, and the registration periods, are as follows:

1. criminal offenses against a victim who is a minor: generally 10 years for a first conviction or lifetime for a subsequent conviction;
2. nonviolent sexual offenses: generally 10 years for a first conviction or lifetime for a subsequent conviction; and
3. sexually violent offenses: lifetime.

The law also gives courts the discretion to impose registration for 10 years for a felony the court finds was committed for a sexual purpose ([CGS § 54-254](#)). "Sexual purpose" means that the defendant's purpose in committing the felony was to engage in sexual contact or sexual intercourse with another person without consent. This purpose need not be the sole purpose for committing the crime, and may arise at any time during the commission of the crime ([CGS §§ 54-250](#)).

The crimes in the first three categories are listed in the tables below. The tables also indicate any exceptions to the general registration periods noted above.



For the first three categories, the registration requirement also applies to attempts, conspiracies, and criminal solicitations ([CGS §§ 54-250](#)). The requirement also applies to people convicted, or found not guilty by reason of mental disease or defect, in another jurisdiction of a crime that (1) is substantially similar to one in the first three categories or (2) requires registration as a sex offender in the other jurisdiction. The requirement applies until the person is released from the registration requirement in the other jurisdiction ([CGS § 54-253](#)).

Specifically, an offender subject to these requirements must register his or her name, identifying factors (including a photograph and fingerprints), criminal history record, residential address, and email and instant message addresses and other similar Internet communication identifiers. For sexually violent offenses, the person must also register documentation of any treatment received for mental abnormality or personality disorder. Registrants must report various changes to their information (such as name or address changes).

Failure to register as required, or to update information as required for five business days, is a class D felony, punishable by up to five years in prison, a fine of up to \$5,000, or both ([CGS §§ 54-251](#) through [54-254](#)).

The registry is available to the public in a searchable online database.

CRIMES REQUIRING SEX OFFENDER REGISTRATION

Table 1: Crimes Against Minors*

Risk of injury to a minor involving contact with the intimate parts of someone under age 16 (CGS § 53-21(a)(2))
First-degree sexual assault involving sexual intercourse with someone under age 13, by an actor more than two years older (CGS § 53a-70(a)(2))
<u>Note:</u> This offense requires lifetime registration for a first conviction
Second-degree sexual assault involving sexual intercourse with: <ul style="list-style-type: none"> • someone age 13 to 15 if the actor is more than three years older; • someone under age 18 if the actor is the person's guardian; • a student if the actor is a school employee and the student is enrolled in the school or district where the actor works; • someone under age 18 if the actor is a coach or instructor (in a high school or other setting); or • someone under age 18 if the actor is age 20 or older and stands in a position of power, authority, or supervision over the person by virtue of the actor's professional, legal, occupational, or volunteer status (CGS § 53a-71)

Table 1 (continued)

<p><u>Note:</u> For someone under age 19 who commits this crime by having sexual intercourse with someone age 13 to 15 who is three years younger than the offender, the court can grant an exemption if it finds that registration is not required for public safety. The court must consider any information or statement provided by the victim.</p>
<p>Third-degree sexual assault involving sexual intercourse with someone the actor knows to be related to him or her within specified degree of kinship (CGS § 53a-72a(a)(2))</p>
<p>First-degree promoting prostitution with someone under age 18 (CGS § 53a-86(a)(2))</p>
<p>Enticing a minor (under age 16) through interactive computer use (CGS § 53a-90a)</p>
<p>Employing or promoting a minor in an obscene performance (CGS §§ 53a-196a & 53a-196b)</p>
<p>Importing child pornography or 1st, 2nd, or 3rd degree possessing child pornography (CGS §§ 53a-196c through 53a-196f)</p>
<p>First- or 2nd degree kidnapping (with or without a firearm), 1st or 2nd degree unlawful restraint, or public indecency, when the court finds that the victim is under age 18 (CGS §§ 53a-92, 53a-92a, 53a-94, 53a-94a, 53a-95, 53a-96, and 53a-186)</p>
<p><u>Note:</u> see Table 3 for circumstances when 1st degree kidnapping is deemed to be a sexually violent offense</p>
<p>Any predecessor statute with substantially the same essential elements of any of the above crimes</p>

* See [CGS §§ 54-250 & 54-251](#). The law also references a subdivision of the statute on 2nd degree promoting prostitution (CGS § 53a-87 (a)(2)). However, [PA 10-115](#) deleted that subdivision and reclassified as 1st degree promoting prostitution the conduct formerly covered by that subdivision.

Table 2: Nonviolent Sexual Offenses*

<p>Fourth-degree sexual assault (involves subjecting someone to sexual contact in several situations, such as (1) without the person's consent, (2) with a victim under age 15 if the actor is specified years older than the victim, or (3) with a victim who is physically helpless) (CGS § 53a-73a)</p>
<p><u>Note:</u> If someone commits this crime by subjecting another person to sexual contact without consent, the court can grant an exemption from the registration requirement if it finds that registration is not required for public safety. The court must consider any information or statement provided by the victim.</p>
<p>Voyeurism committed in specified ways for sexual gratification or arousal (CGS § 53a-189a (2, 3, and 4))</p>
<p><u>Note:</u> The court can grant an exemption if it finds that registration is not required for public safety. The court must consider any information or statement provided by the victim.</p>

* See [CGS §§ 54-250 & 54-251](#)

Table 3: Sexually Violent Offenses*

First-degree sexual assault, other than the portion covered under crimes against minors (CGS § 53a-70)
First-degree aggravated sexual assault (CGS § 53a-70a)
Sexual assault in a spousal or cohabiting relationship (CGS § 53a-70b)
Second-degree sexual assault, other than the portion covered under crimes against minors (CGS § 53a-71)
Third-degree sexual assault, other than the portion covered under crimes against minors (CGS § 53a-72a)
Third-degree sexual assault with a firearm (CGS § 53a-72b)
First-degree kidnapping (with or without a firearm) if the court finds that the offense was committed with the intent of sexually violating or abusing the victim (CGS §§ 53a-92 & 53a-92a)
Any predecessor statute with substantially the same essential elements of any such crime

*See [CGS §§ 54-250 & 54-252](#)

JO:cmg