

**CERTIFICATION OF ADMINISTRATIVE RULES
FILED WITH THE LEGISLATIVE SERVICES AGENCY
OTHNI LATHRAM, DIRECTOR**

(Pursuant to Code of Alabama 1975, §41-22-6, as amended).

I certify that the attached is/are correct copy/copies of rule/s as promulgated and adopted on the 28 day of November, 2018, and filed with the agency secretary on the _____ day of November, 2018.

AGENCY NAME: Alabama Law Enforcement Agency

Amendment New Repeal (Mark appropriate space)

Rule No. Chapter 760-X-3

(If amended rule, give specific paragraph, subparagraphs, etc., being amended)

Rule Title: Sex Offender Registration Information

ACTION TAKEN: State whether the rule was adopted with or without changes from the proposal due to written or oral comments:

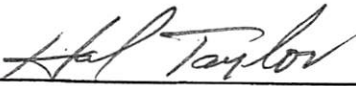
With changes written and oral

NOTICE OF INTENDED ACTION PUBLISHED IN VOLUME XXXVI,
ISSUE NO. 11, AAM, DATED August 31, 2018.

Statutory Rulemaking Authority: Code of Ala. 1975, §§ 15-20A-7, 15-20A-8, & 15-20A-42

LEGISLATIVE SVC AGENCY
2018 NOV 29 PM 12:47
REC'D & FILED

(Date Filed)
(For LRS Use Only)



Certifying Officer or his or her
Deputy

(NOTE: In accordance with §41-22-6(b), as amended, a proposed rule is required to be certified within 90 days after completion of the notice.

NEW CHAPTER

ALABAMA LAW ENFORCEMENT AGENCY

CHAPTER 760-X-3
SEX OFFENDER REGISTRATION INFORMATION

TABLE OF CONTENTS

- 760-X-3-.01** **Transmission of Required Sex Offender Registration Information to the Alabama Law Enforcement Agency**
- 760-X-3-.02** **Technical Specifications for Responsible Jurisdictions and Agencies to Establish a Secure Interface with the Alabama Law Enforcement Agency’s Statewide Sex Offender Database for the Collection of Required Sex Offender Registration Information**
- 760-X-3-.03** **Required Sex Offender Registration Information**

760-X-3-.01 **Transmission of Required Sex Offender Registration Information to the Alabama Law Enforcement Agency.** Any jurisdiction or agency responsible for registering a sex offender shall immediately forward all required registration information and any changes received pursuant to Alabama Code Section 15-20A-7, including information regarding the death of a sex offender, to the Alabama State Law Enforcement Agency in a secure, electronic, and digitized National Information Exchange Model (NIEM) conformant format. All information received will be immediately entered into the Alabama Law Enforcement Agency’s statewide sex offender database, forwarded to those law enforcement entities’ repositories, and provided on the public registry website as established by law.

Author: Meridith H. Barnes

Statutory Authority: Code of Ala. 1975, §§ 15-20A-7, 15-20A-8, and 15-20A-42.

History: New Rule: Filed August 17, 2018; effective January 13, 2019

760-X-3-.02 Technical Specifications for Responsible Jurisdictions and Agencies to Establish a Secure Interface with the Alabama Law Enforcement Agency's Statewide Sex Offender Database for the Collection of Required Sex Offender Registration Information.

The Alabama Law Enforcement Agency, through its Information Technology Division, will be responsible for maintaining current technical specifications for the secure, electronic transmission of all required sex offender registration data and any changes received, including death information, in a digitized (NIEM) conformant format. The Alabama Law Enforcement Agency's Information Technology Division will provide said technical specifications to all jurisdictions or agencies responsible for sex offender registration upon written request so that a secure interface may be established with the Alabama Law Enforcement Agency's statewide sex offender database. Technical specifications are considered law enforcement sensitive and will not be considered a public record or otherwise subject to open record request. Responsible jurisdictions or agencies must establish a secure interface with the Alabama Law Enforcement Agency in an expeditious manner and may do so directly or through the use of a vendor deemed qualified and selected by the jurisdiction or agency.

Author: Meridith H. Barnes

Statutory Authority: Code of Ala. 1975, §§ 15-20A-7, 15-20A-8, and 15-20A-42.

History: New Rule: Filed August 17, 2018; effective January 13, 2019

760-X-3-.03 Required Sex Offender Registration Information.

Required sex offender registration information includes all applicable Alabama Code Section 15-20A-7 registration information and any changes thereto, as well as the following applicable data metrics, all of which shall be securely and electronically stored and transmitted to the Alabama Law Enforcement Agency in a digitized (NIEM) conformant format by the registering jurisdiction or agency:

- (1) Full name, including any aliases, nicknames, ethnic, or tribal names;
- (2) Date of birth;
- (3) Social Security number;
- (4) FBI Number;
- (5) SID Number;
- (6) AIS Number (assigned by the Alabama Department of Corrections);
- (7) Race;
- (8) Sex;
- (9) Hair color, eye color, height, weight, and skin tone, along with a physical description, including physical appearance, physical characteristics, and identifying marks such as scars and tattoos;
- (10) Address of each residence;
- (11) Whether offender's address is temporary or permanent and, if temporary, dates of occupancy;
- (12) Whether minors are living at offender's address and, if so, their name, age, and relationship;
- (13) Name and address of any school the sex offender attends or will attend as defined by law;
- (14) Occupation, including position or job title;
- (15) Name and address of any employer where the sex offender works or will work as defined by law;
- (16) Whether the employer is located within 2,000 feet of a school; childcare facility, as defined by Alabama Code Section 15-20A-4; mobile vending business that provides services primarily to

children; any other business or organization that provides services primarily to children; or any amusement or water park; or if convicted of a sex offense involving a child, within 500 feet of a playground, park, athletic field or facility, or any other business or facility having a principal purpose of caring for, educating, or entertaining minors;

- (17) Any work locations if different than employer's address;
- (18) Name, relationship, and phone number of the sex offender's nearest relative;
- (19) Other identifying information, including driver license/state ID number, expiration date, and issuing state, as well as passport, military ID, and/or immigration ID numbers;
- (20) License plate number, registration number or identifier, vehicle description to include VIN, year, make, model and color, and permanent or frequent location where all vehicles are kept for any vehicle used for work or personal use, including land vehicles, aircraft, and watercraft;
- (21) Any telephone number used, including land line and cell phone numbers;
- (22) Any email addresses or instant message address or identifiers used, including any designations or monikers used for self-identification in Internet communications or postings other than those used exclusively in connection with a lawful commercial transaction;
- (23) A current color photograph;
- (24) Fingerprints and palm prints;
- (25) Whether a DNA sample has been collected and submitted to the Department of Forensic Sciences as provided by law;
- (26) A photocopy of the valid driver license or identification card;
- (27) A photocopy of any and all passport and immigration documents;
- (28) Any professional licensing information that authorizes the sex offender to engage in an occupation or carry out a trade or business, including license type and number;
- (29) Full details of the sex offense, including the location of the offense, specifically the city, and state, the age of the victim or victims at the time of the commission of the offense, as well as their race, sex,

and relationship, dates of all applicable arrests, convictions, and dispositions, the full text of the criminal code provision for all applicable convictions, the court case number and court of disposition for all cases, including the court jurisdiction (i.e., Alabama, other state, military, federal, etc.) and type of court (juvenile, adult criminal, etc.);

- (30) A current and accurate registration status, including (a) whether the sex offender is compliant or noncompliant, has absconded, or is incarcerated, (b) whether the sex offender has been released to parole, is serving probation, or is otherwise released to supervision, and (c) whether the sex offender has any outstanding arrest warrants or has been rearrested;
- (31) A list of any and all Internet service providers used by the sex offender;
- (32) A list of any cautions or medical conditions;
- (33) A copy of the completed current, applicable Acknowledgment form, available online at the Alabama Law Enforcement Agency's Community Information Center website, explaining all registration and notification duties, including any requirements and restrictions placed on the sex offender, signed and dated by the sex offender, or documentation that the requirements have been explained to the sex offender and that the sex offender refused to sign;
- (34) A copy of the completed current Form 47, available online at the Alabama Law Enforcement Agency's Community Information Center website, signed and dated by the sex offender, or documentation that the sex offender refused to sign;
- (35) Any other information deemed necessary by the Secretary of the Alabama State Law Enforcement Agency or as otherwise established by Alabama Code Section 15-20A-7 or other law.

For the above metrics identified as (24) – (28), the registering agency is not required to obtain new information each time the sex offender verifies his/her required registration information, so long as the registering agency verifies the information has already been collected and has not been changed or altered pursuant to Alabama Code Section 15-20A-7(b).

Author: Meridith H. Barnes

Statutory Authority: Code of Ala. 1975, §§ 15-20A-7, 15-20A-8, and 15-20A-42.

History: New Rule: Filed August 17, 2018; effective January 13, 2019