

# ***Adult Sex Offender Registration Requirements***

## ***MONTANA***

### **Requirements**

<b>Registrable Offenses</b>	<ul style="list-style-type: none"> <li>• Unlawful restraint (if the victim is under 18 and the offender is not a parent of the victim)</li> <li>• Kidnapping</li> <li>• Aggravated kidnapping</li> <li>• Sexual assault</li> <li>• Sexual intercourse without consent</li> <li>• Indecent exposure (if the victim is under 18 and the offender is 18 years of age or older)</li> <li>• Indecent exposure</li> <li>• Incest (if the victim is under 18 and the offender is more than 3 years older than the victim)</li> <li>• Aggravated promotion of prostitution</li> <li>• Sexual abuse of children</li> <li>• Any attempt, solicitation, or conspiracy to commit one of the offenses listed above.</li> <li>• Any violation of a law of another state or the federal government that is reasonably equivalent to a violation listed above or for which the offender was required to register as a sex offender after conviction.</li> </ul> <p><i>Violent Offenses:</i></p> <ul style="list-style-type: none"> <li>• Deliberate homicide</li> <li>• Mitigated deliberate homicide</li> <li>• Aggravated assault</li> <li>• Partner or family member assault (third or subsequent offense)</li> <li>• Assault on peace officer or judicial officer</li> <li>• Assault on minor</li> <li>• Assault with weapon</li> <li>• Robbery</li> <li>• Arson</li> <li>• Operation of unlawful clandestine laboratory</li> <li>• Any attempt, solicitation, or conspiracy to commit one of the offenses listed above.</li> <li>• Any violation of a law of another state or the federal government reasonably equivalent to a violent offense listed above.</li> <li>• Montana's registration law is for both sex offenders and violent offenders.</li> </ul>
<b>Information Maintained in Sex Offender Registry</b>	<p><i>M.C.A. § 46-23-503 (WEST 2008)</i></p> <p>(1) A sexual or violent offender who is released from the custody of the department of corrections must be informed in writing not less than 10 days prior to release of the duty to register under this part by the official in charge of the place of confinement.</p> <p>(2) Prior to the offender's release from custody, the official shall obtain and give to the department of justice and to the sheriff of the county in which the offender intends to reside or, if the offender intends to reside in a municipality, to the chief of police of the municipality:</p> <ul style="list-style-type: none"> <li>(a) The address at which the offender intends to reside upon release from the department's custody;</li> <li>(b) The offender's fingerprints and photo, unless they are already in the possession of the department of justice, sheriff, or chief of police; and</li> <li>(c) A form signed by and read to or by the offender stating that the offender's duty to register under this part has been explained to the offender.</li> </ul>
<b>Community Notification and Websites</b>	<p><i>M.C.A. § 46-23-508 (WEST 2008)</i></p> <p>(b) A law enforcement agency shall release any offender registration information relevant to the public if the agency determines that a registered offender is a risk to the safety of the community and that disclosure of the registration information may protect the public and, at a minimum:</p> <ul style="list-style-type: none"> <li>(i) If an offender was given a level 1 designation the agency with which the offender is registered shall notify the agency in whose jurisdiction the offense occurred of the registration;</li> <li>(ii) If an offender was given a level 2 designation, the agency with which the offender is registered may</li> </ul>

	<p>disseminate the offender's name to the public with the notation that the offender is a sexual or violent offender and may notify a victim of the offense and any agency, organization, or group serving persons who have characteristics similar to those of a previous victim</p> <p>(iii) If an offender was given a level 3 designation, the agency shall give the victim and the public notification.</p> <ul style="list-style-type: none"> <li>• The agency shall also include the date of the offender's release from confinement or if not confined, the date the offender was sentenced, with a notation that the offender was not confined, and shall include the community in which the offense occurred.</li> </ul> <p>(3) A state or local law enforcement agency may use the internet to disseminate the information allowed by this section to the public.</p>
<p><b>Limitations on Residency or Employment</b></p>	<p><i>M.C.A. § 46-18-255 (WEST 2008)</i></p> <p>(1) The sentencing judge may impose reasonable employment restrictions upon sexual or violent offenders to protect persons likely to be victims of further offenses by the offender.</p> <p>(2) Persons convicted of sexual offenses involving a minor who have been designated as a level 3 offender are restricted from living in the proximity of a preschool, elementary or high school, licensed day-care center, church or park maintained by a city, town, or county.</p>
<p><b>Duration of Registration</b></p>	<p><i>M.C.A. § 46-23-506 (WEST 2008)</i></p> <p>(2)(a) 10 years for violent offenders.</p> <p>(2)(b) Life for:</p> <ul style="list-style-type: none"> <li>• Sexual offenders</li> <li>• Violent offenders that have been convicted of failing to keep registration current during the 10-year registration period.</li> </ul>