

Campus Sex Crimes Prevention Act Compliance

The "**Campus Sex Crimes Prevention Act**" (section 1601 of Public Law 106-386) is a federal law enacted on October 28, 2000 that provides for the tracking of convicted, registered sex offenders enrolled as students at institutions of higher education, or working or volunteering on campus.

The Act amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student; and to require that state procedures ensure that this registration information is promptly made available to law enforcement agencies with jurisdiction where the institutions of higher education are located and that it is entered into appropriate state records or data systems.

It also amends the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act to require institutions of higher education to issue a statement, in addition to other disclosures required under that Act, advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained.

Lastly the Act amends the Family Educational Rights and Privacy Act of 1974 to clarify that nothing in that Act may be construed to prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders; and to require the Secretary of Education to take appropriate steps to notify educational institutions that disclosure of this information is permitted.

Any persons convicted on or after January 1, 1996 of a reportable offense or who have been released from a penal institution on or after January 1, 1996 for a reportable offense are required to register. A person convicted in a federal jurisdiction of an offense which is substantially similar to a reportable offense as set out in this law is subject to registration if the person was convicted on or after April 3, 1997 or released from a penal institution on or after April 3, 1997. A person convicted of solicitation to commit, conspiracy to commit, or aiding and abetting may be registerable if the person committed the offense on or after December 1, 1999.

This program is administered by the North Carolina State Bureau of Investigation and County Sheriffs. Within ten days of release from a penal institution or arrival in a county to live outside a penal institution; or immediately upon conviction for a reportable offense where an active term of imprisonment was not imposed, registration is required. Registration procedures are also applicable to non-resident students. A non-resident student is a person enrolled in any type of school in North Carolina on either a part-time or full-time basis.

This requirement also applies to out-of-state offenders for substantially equivalent offenses. If the person moves to North Carolina from outside this state, the person must register within ten days of establishing residence in this state or whenever the person has been present in this state for 15 days, whichever comes first.

The information in the statewide registry that is public record is the same as that set forth for the county registry. The agency will release any other relevant information necessary to protect the public concerning a specific person but will not release the identity of a victim. Free public access to automated data from the statewide registry, including a photograph provided by the registering sheriff, is available via the Internet. The public will be able to access the statewide registry to view an individual registration record, a part of the statewide registry, or the entire statewide registry at <http://sexoffender.ncdoj.gov/>.