



<p style="text-align: center;">SOUTH DAKOTA</p>  <p style="text-align: center;">DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE</p>		POLICY NUMBER	PAGE NUMBER
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		DISTRIBUTION:	Public
		SUBJECT:	Juvenile Sex Offender Registration
RELATED STANDARDS:	None	EFFECTIVE DATE:	February 15, 2026
		SUPERSESION:	New Policy
DESCRIPTION: Juvenile Services	REVIEW MONTH: January	 NICK LAMB SECRETARY OF CORRECTIONS	

I. POLICY

It is the policy of the South Dakota Department of Corrections (DOC) to enforce state law requiring all sex offenders register within the state of South Dakota.

II. PURPOSE

In accordance with SDCL Chapter 22-24B, it is the purpose of this policy to provide guidelines for the notification of law enforcement agencies of the transfer of sex offenders to DOC facilities in different counties, release to community supervision, or upon discharge of sentence.

III. DEFINITIONS

Juvenile Sex Offender:

Any juvenile fourteen (14) years or older at the time of the offense shall register as a sex offender if that juvenile has been adjudicated of rape as defined in subdivision 22-24B-1(1), or of an out-of-state or federal offense that is comparable to the elements of the crime of rape, or any crime committed in another state if the state also requires a juvenile adjudicated of that crime to register as a sex offender in that state. The term "adjudicated" includes a court's finding of delinquency, an admission, and a suspended adjudication of delinquency which has not been discharged pursuant to § 26-8C-4 before July 1, 2009.

IV. PROCEDURES

1. Sex Offender Registration Requirements:

- A. During the intake process, DOC staff will determine if the juvenile is required to register, consistent with South Dakota state statute.
 1. If a juvenile is identified as being required to register as a sex offender DOC Juvenile Services staff will ensure the juvenile submits the required registrations with local law enforcement be submitted to the Division of Criminal Investigation (DCI) within three (3) business days of commitment to the DOC.
 2. If it is confirmed by DOC staff that a juvenile is currently registered with the South Dakota Sex Offender Registry, staff will update the registry, as necessary. The director of Juvenile Services or designee will provide the juvenile corrections agent (JCA) with the name of any juvenile sex offender assigned to the JCA so the JCA can update the sex offender registration.

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- a. Each JCA will track compliance with the updated registration requirements for juvenile sex offenders assigned to their caseload. All registration updates will be included on the JCA's month-end report.
- B. At the time of the sex offender's registration, the registering staff person will collect a DNA sample from the juvenile and submit the sample to the South Dakota State Forensic Laboratory in accordance with procedures established by the lab, unless it can be confirmed the sex offender has previously provided and submitted a DNA sample to the State Forensic Laboratory.

2. Annual Verification of Sex Offender Information:

- A. Sex offenders under juvenile aftercare, or secondary placement) are responsible for complying with all requirements of sex offender registration, as required by state and federal law.
- B. Verification forms must be completed, signed by the juvenile required to register, and returned through local law enforcement to the DCI within ten (10) calendar days after the receipt.

3. Updating Sex Offender Registration Information:

- A. DOC staff will update the Sex Offender Registry if a sex offender currently in the physical custody of the DOC is transferred to a facility in another county, or custody of the juvenile is otherwise transferred to another authority.
 - 1. DOC staff are not required to notify the DCI if a sex offender is temporarily absent (TAP) because of being out to court or is transferred to another DOC facility for short-term confinement, (generally less than two (2) weeks).
 - 2. DOC staff will notify the DCI immediately if a sex offender escapes, absconds, or is absent without leave (AWOL) from DOC custody or supervision (e-mail the state sex offender registry compliance coordinator with DCI).
- B. DOC staff will update the registration information of a sex offender required to register by notifying the DCI if the juvenile's status changes or is transferred to a different address (does not include temporary residence). DOC staff will notify DCI of the new location/address.
- C. Sex offenders under DOC (juvenile aftercare) who are required to register, are responsible for updating their registration information, i.e., new address, with DCI.

4. Sex Offender Re-Registration Requirements:

- A. It is the responsibility of the sex offender to complete the re-registration if he/she is currently under DOC supervised release.
- B. Re-registration for a sex offender under DOC supervised release must take place during the calendar month in which the sex offender was born, and six (6) months following his/her birth month.
- C. Re-registration is not required for a sex offender in the physical custody of the DOC.

5. Release of Sex Offenders from DOC Custody:

- A. Prior to discharge, DOC staff will inform a sex offender who is required to register pursuant to SDCL of their duty to register This shall include all offenders who are:
 - 1. Discharged or released from a DOC program or facility.
 - 2. Any other release which results in an offender's unsupervised access to the community.

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- B. DOC staff will require the sex offender to read and sign the *Sex Offender Duty to Register* form acknowledging their duty to register, procedures and registration requirements, along with any other forms required by DCI (attachment #1).
- C. Copies of the completed forms will be forwarded to the following:
1. The juvenile.
 2. DCI.
 3. Law enforcement agency in the jurisdiction where the juvenile will reside.
 4. State's attorney in county where the juvenile was adjudicated.
- D. DOC staff will obtain the address where the juvenile plans to reside upon discharge, release, parole, work release, or similar program outside the facility and shall report the address to the DCI.

V. RESPONSIBILITY

The director Juvenile Services is responsible for the annual review of this policy and revision as necessary.

VI. AUTHORITY

- A. SDCL § [22-24B-1](#) Sex crimes determined.
- B. SDCL § [22-24B-1.1](#) Business day defined.
- C. SDCL § [22-24B-2](#) Registration of convicted sex offenders--Time limit--Violation as felony--Discharge.
- D. SDCL § [22-24B-3](#) Work defined.
- E. SDCL § [22-24B-4](#) Attends school and attends classes defined.
- F. SDCL § [22-24B-5](#) Annual verification form mailed to registered offender--Return of form--Failure to return form--Violation as felony.
- G. SDCL § [22-24B-6](#) Commencement or change in enrollment or employment--Report to local law enforcement--Time limit--Violation as felony.
- H. SDCL § [22-24B-7](#) Registration every six months--Violation as felony.
- I. SDCL § [22-24B-8](#) Information required for sex offender registration--DNA sample--Violation as felony.
- J. SDCL § [22-24B-13](#) Duty of institutions to inform convicted sex offenders of registration requirements and community safety zone restrictions.
- K. SDCL § [22-24B-14](#) Duty of court to inform sexual offenders of registration requirement and community safety zone restrictions.
- L. SDCL § [22-24B-22](#) Definitions.
- M. SDCL § [22-24B-23](#) Restrictions on residence within community safety zone--Violation as felony.
- N. SDCL § [22-24B-24](#) Loitering within community safety zone or public library prohibited--Exception--Violation as felony.
- O. SDCL § [22-24B-30](#) Inmate and juvenile offender registration--Time limit--Submission to Division of Criminal Investigation--Notice of change of status.
- P. SDCL § [22-24B-31](#) Foreign criminal conviction registration--Time limit--Violation as felony.
- Q. SDCL § [23A-27-14](#) Discharge and dismissal of probationer on completion of conditions--No judgment entered--Limitation.
- R. SDCL § [26-8C-4](#) Suspension of adjudication of delinquency--Probation--Revocation of suspension.
- S. SDCL § [37-24-1](#) Definition of terms.

VII. HISTORY

February 2026 – New policy

ATTACHMENTS

1. Sex Offender Duty to Register (this is a DCI Form)



STATE OF SOUTH DAKOTA

SEX OFFENDER DUTY TO REGISTER

The sex offender registration laws in SDCL 22-24B-1 through 22-24B-37 apply to any person who has been convicted (either upon a verdict or a plea of guilty or plea of nolo contendere), or who has received a suspended imposition of sentence that has not been discharged pursuant to (SDCL 23A-27-14), of a sex crime as defined in SDCL 22-24B-1, including convictions for attempt, conspiracy, or solicitation of sex crimes as defined in SDCL 22-24B-1. A foreign criminal conviction which requires registration as a sex offender pursuant to the laws of the state where the conviction took place also requires registration in South Dakota **within three (3) business days** of arrival into this state. The laws also apply to any juvenile fourteen (14) years of age or older at the time of the offense shall register as a sex offender if that juvenile has been adjudicated of rape as defined in subdivision SDCL 22-24B-1(1), or of an out-of-state or federal offense that is comparable to the elements of these crimes of rape or any crime committed in another state if that state also requires a juvenile adjudicated of that crime to register as a sex offender in that state. Registration requires submission of certain information, including the offender's signature, fingerprints, photograph, DNA, passport information, INS number and document type, professional licenses and other information. Failure to comply is a Class 6 Felony.

An offender must register **within three (3) business days** of coming into any county to reside, temporarily domicile, attend school, attends post-secondary education classes or work. Any offender registering in this state who is employed, carries on a vocation, or attends post-secondary classes at an institution of higher education, institution of higher learning or technical institute in this state shall, **within three (3) business days** of any commencement or termination of such enrollment or employment, report to the registering agency where the institution is located and complete a Registration Update form. The registering agency is the Chief of Police of the municipality where the offender resides, domiciles, attends school, attends post-secondary education classes or works, or if no Chief of Police exists, then it is the county Sheriff. Any offender registered in South Dakota who plans to enter another state to work, carry on a vocation or attend school must comply with that state's registration requirements as well. Failure to comply is a Class 6 Felony.

Any **change of residence address or location** requires the offender to submit, **within three (3) business days** of the move, a Registration Update form to the law enforcement agency where the offender last registered. An offender registered in South Dakota who moves to another state must notify the registering agency in South Dakota where the offender last registered and provide information of their new address. The offender must also comply with any registration requirements in the new state of residency. Failure to comply is a Class 6 Felony.

Offenders must register every (6) six months. They are first required to register on their birth month and then required to register (6) six months after their birth month. Each offender registered in South Dakota must go to the South Dakota law enforcement agency where the offender last registered. The offender will be sent once a year a non-forwardable verification form to their last known address. The offender is required to return the verification form to the Division of Criminal Investigation within 10 days. Failure to comply is a Class 6 Felony.

Any **vehicle registration status change** of a vehicle the offender owns shall be reported to the registering agency **within three (3) business days**. Failure to comply is a Class 1 misdemeanor. Any **travel outside the United States** shall be reported **at least twenty-one (21) days** in advance of the travel to your registering agency. Failure to comply is a Class 1 misdemeanor.

Those required to register as sex offenders may **NOT** establish a residence or reside within a "community safety zone". The community safety zone is the measurement of a straight line that creates an area that lies within five hundred feet from the facilities and grounds of any school, public park, public playground, or public pool, including the facilities and grounds itself. If a sex offender committed a registerable offense in another state, they are subject to the residence restriction distance of that state, if it is greater than SD's 500 foot rule. Failure to comply is a Class 6 Felony.

ANY SUBSEQUENT VIOLATIONS OF PARAGRAPHS 1,2,3,4 & 6 WOULD BE A CLASS 5 FELONY.

Please Print or Type – List additional information on a separate piece of paper and attach, if necessary.

Offender Name: _____
LAST FIRST MIDDLE

Date of Birth: _____ Social Security#: _____/_____/_____

Planned Physical Address Upon Release: _____

Date of Release / Parole / Discharge / other: _____

Expected Length of Stay: _____ Phone: () _____

I certify that my duty to register as a sex offender has been explained to me. I further certify the information I have furnished is true to the best of my knowledge. I understand that false reporting is a criminal offense, and that providing false information in this document will be considered failure to comply with SDCL 22-24B-1 through 22-24B-37, thus subjecting me to criminal penalties.

DATE: _____ OFFENDER SIGNATURE: _____

ADVISING AGENCY: _____ DATE: _____

I certify that I have required the above-listed offender to read and sign the foregoing Sex Offender Duty to Register form, and I have explained the procedure for registration as required of me in SDCL 22-24B-13 or SDCL 22-24B-14.

NAME: _____

SIGNATURE: _____

Advising agency shall mail within three (3) days to the law enforcement registering agency where the offender will reside, and to the Division of Criminal Investigation, 1302 East Highway 14, Suite 5, Pierre, SD 57501-8505. SD:DCI (01/2019)

THIS IS NOT THE REGISTRATION FORM

Report to your local law enforcement agency within THREE (3) BUSINESS DAYS TO REGISTER.

Provide a copy of the Duty to the Offender.

Mail copies to: Prosecuting Attorney; Agency where offender will reside & DCI.