

Taking a Broader View

As the preceding sections demonstrate, it is extremely difficult to look through a narrow scope when addressing issues regarding serious juvenile sex offenders. Integrating the information within this report, it is clear that juvenile justice policy decisions are not made in a vacuum, as shown below.

For example, there are states which do not register *any* juvenile adjudicated delinquent of a sex offense. In all of these states, though, a prosecutor has many other options available.

Alaska: A juvenile is subject to judicial waiver at any age for any criminal offense, and to legislative waiver at age 16 for the most serious sex offenses.

Connecticut: A juvenile is subject to legislative waiver at age 14 for most serious sex offenses.

D.C.: A juvenile is subject to judicial waiver at age 15 for any felony offense, and to legislative waiver at age 16 for the most serious sex offense: First Degree Sexual Abuse.

Georgia: A juvenile is subject to legislative waiver at age 13 for most serious sex offenses.

Hawaii: A juvenile is subject to judicial waiver at age 14 for the most serious sex offenses.

Kentucky: A juvenile is subject to judicial waiver at age 14 for the most serious sex offenses.

Maine: A juvenile is subject to judicial waiver at any age for the most serious sex offenses.

New York: A juvenile is subject to legislative waiver beginning at age 13 for many serious sex offenses.

Vermont: A juvenile is subject to judicial waiver at age 10 for serious sex offenses, and to legislative waiver at age 14 for the most serious sex offenses.

West Virginia: A juvenile is subject to judicial waiver at any age for the most serious sex offense, and to prosecutorial waiver at age 14 for the most serious sex offense: Sexual Assault in the First Degree.

Each of these states has provided a mechanism by which the prosecuting attorney may seek enhanced consequences for a serious juvenile sex offender, not by way of sex offender registration based on a juvenile adjudication, but via prosecution in adult court.

The Developmental Approach

The developmental approach to juvenile justice uses the results of research on both adolescent development and the effectiveness of juvenile justice interventions to advocate for changes in the juvenile justice system. Generally speaking, serious collateral consequences of a juvenile adjudication (such as lifetime sex offender registration) are viewed by developmental approach adherents as “fundamentally at odds” with an effective juvenile justice system. In addition, adherents are in favor of *judicial* waiver, when it is necessary, as opposed to *legislative* or *prosecutorial* waiver.

For additional information about the developmental approach to juvenile justice, please see the Office on Juvenile Justice and Delinquency Prevention’s (OJJDP) newsletter at http://www.ojjdp.gov/newsletter/248243/sf_5.html.

Conclusion

Sex offender registration and public notification for serious juvenile sex offenders is a significant collateral consequence and one that should be part of any larger-scale discussion on how to handle a state’s sex offenders. However, it is but one piece of that puzzle, and cannot be easily isolated from other juvenile justice issues such as the age of adult criminal responsibility, legislative waiver, prosecutorial waiver, and judicial waiver.

The SMART Office hopes that this overview will be a helpful resource for the field. For any questions about SORNA itself, or for more information about the work of the SMART Office, please feel free to contact the SMART Office at asksmart@usdoj.gov or visit our website at www.smart.gov.

Resources

AMERICAN UNIV., WASHINGTON COLL. OF LAW, FIFTY STATE SURVEY OF JUVENILE SEX OFFENDER REGISTRATION REQUIREMENTS, *available at* https://www.wcl.american.edu/endsilence/documents/FiftyStateSurveyonJuvenileSexOffenderRegistrationStatutes_FINALSept2009.pdf.

LISA BERESFORD, *Is Lowering the Age at which Juveniles can be Transferred to Adult Criminal Court the Answer to Juvenile Crime? A State-by-State Assessment*, 37 SAN DIEGO L. REV. 783 (2000).

ERIC FRITSCH & CRAIG HEMMENS, *Juvenile Waiver in the United States 1979-1995: A Comparison and Analysis of State Waiver Statutes*, 46 JUV. & FAM. CT. J. 17 (1995).

PATRICK GRIFFIN ET. AL., OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP), TRYING JUVENILES AS ADULTS: AN ANALYSIS OF STATE TRANSFER LAWS AND REPORTING (September 2011), <https://www.ncjrs.gov/pdffiles1/ojjdp/232434.pdf>.

SARAH HOCKENBERRY & CHARLES PUZZANCHERA, NATIONAL RESEARCH COUNCIL, REFORMING JUVENILE JUSTICE: A DEVELOPMENTAL APPROACH (Richard J. Bonnie et. al., eds., 2013).

SARAH HOCKENBERRY & CHARLES PUZZANCHERA, OFFICE OF JUVENILE JUSTICE AND DELINQUENCY PREVENTION (OJJDP), DELINQUENCY CASES WAIVED TO CRIMINAL COURT, 2011 (December 2014), *available at* <http://www.ojjdp.gov/pubs/248410.pdf>.

HUMAN RIGHTS WATCH, RAISED ON THE REGISTRY, *available at* http://www.hrw.org/sites/default/files/reports/us0513_ForUpload_1.pdf.

HUMAN RIGHTS WATCH, STATE-BY-STATE SUMMARY OF TRANSFER LAWS, http://www.hrw.org/sites/default/files/related_material/2014_US_StateTransferLawsAppendix.pdf.

NATIONAL CENTER FOR JUVENILE JUSTICE, JUVENILE COURT STATISTICS 2011, <http://www.ojjdp.gov/ojstatbb/njcda/pdf/jcs2011.pdf>.

NATIONAL DISTRICT ATTORNEYS ASSOCIATION, STATE STATUTES: JUVENILE TRANSFER TO ADULT COURT, <http://www.ndaa.org/pdf/Juvenile%20Transfer%202011.pdf>.

NICOLE PITTMAN & QUYEN NGUYEN, A SNAPSHOT OF JUVENILE SEX OFFENDER REGISTRATION AND NOTIFICATION LAWS: A SURVEY OF THE UNITED STATES, *available at* http://www.njjn.org/uploads/digital-library/SNAPSHOT_web10-28.pdf.

OFFICE OF SEX OFFENDER SENTENCING, MONITORING, APPREHENDING, REGISTERING, AND TRACKING (SMART OFFICE), JUVENILE OFFENDERS AND SORNA, http://www.smart.gov/juvenile_offenders.htm.

OFFICE OF SEX OFFENDER SENTENCING, MONITORING, APPREHENDING, REGISTERING, AND TRACKING (SMART OFFICE), SEX OFFENDER MANAGEMENT ASSESSMENT AND PLANNING INITIATIVE, JUVENILE SECTION, <http://www.smart.gov/SOMAPI/contents.html>.

M. SICKMUND ET. AL., NATIONAL CENTER FOR JUVENILE JUSTICE, EASY ACCESS TO JUVENILE COURT STATISTICS: 1985-2011 (2014), <http://www.ojjdp/ojstatbb/ezajcs>.

Appendix One: Legislative Waiver

| State | Minimum Age | Charges |
|----------------|-------------|--|
| Alabama | 16 | Any Class A Felony; includes First Degree Rape, First Degree Sodomy, Sexual Torture, Traveling and/or Facilitating Travel to Meet a Child for an Unlawful Sexual Act |
| Alaska | 16 | Any Unclassified or Class A Felony; includes Sexual Assault in the First Degree and Sexual Abuse of a Minor in the First Degree |
| Arizona | 15 | Forcible Sexual Assault |
| Connecticut | 14 | Any Class A or B felony, including most serious sex offenses |
| D.C. | 16 | First Degree Sexual Abuse |
| Delaware | No min. | Rape in the First Degree, Rape in the Second Degree, Unlawful Sexual Intercourse in the First Degree |
| Georgia | 13 | Rape, Aggravated Sodomy, Aggravated Child Molestation, Aggravated Sexual Battery |
| Illinois | 15 | Aggravated Criminal Sexual Assault |
| Indiana | 16 | Rape |
| Iowa | 16 | Sexual Abuse |
| Louisiana | 15 | Aggravated Rape |
| Maryland | 14 | Rape in the First Degree, Sexual Offense in the First Degree |
| | 16 | Rape in the Second Degree, Sexual Offense in the Second Degree, Rape in the Third Degree |
| Mississippi | 13 | Forcible Rape |
| Montana | 17 | Sexual Intercourse without Consent |
| New York | 13 | Any "Sexually Motivated Felony" |
| | 14 | Rape in the First Degree, Criminal Sexual Act in the First Degree, Aggravated Sexual Abuse in the First Degree |
| North Dakota | 14 | Gross Sexual Imposition |
| Oklahoma | 16 | Rape in the First Degree, Rape by Instrumentation, Sodomy |
| Oregon | 15 | Rape, Sodomy, Object Sexual Penetration, Sexual Abuse |
| South Carolina | 16 | Most serious felony sex offenses |
| South Dakota | 16 | Rape |
| Vermont | 14 | Sexual Assault; Aggravated Sexual Assault |
| Washington | 16 | Rape |

Appendix Two: Prosecutorial Waiver

| State | Minimum Age | Charges |
|---------------|-------------|---|
| Arkansas | 14 | Rape |
| | 16 | Any felony |
| Arizona | 14 | Serious sex offenses |
| California | 14 | Rape, Continuous Sexual Abuse of a Child |
| | 16 | Most forcible sexual assaults or contact sexual assaults with a child |
| Colorado | 16 | Most serious sexual assaults |
| Florida | 14 | Sexual Battery, Aggravated Child Abuse |
| | 16 | Any felony |
| Louisiana | 15 | Forcible Rape, Simple Rape |
| Michigan | 14 | Criminal Sexual Conduct, First Degree |
| Montana | 12 | Sexual Intercourse without Consent |
| | 16 | Sexual Assault |
| Nebraska | 14 | First Degree Sexual Assault, First Degree Sexual Assault of a Child |
| Nevada | 16 | Sexual Assault using Force or Violence |
| New Jersey | 16 | Aggravated Sexual Assault or Sexual Assault |
| Vermont | 16 | Any sex offense |
| Virginia | 14 | Rape, Sodomy, Object Sexual Penetration |
| West Virginia | 14 | Sexual Assault in the First Degree |
| Wyoming | 14 | Sexual Assault; Sexual Abuse of a Minor |

Appendix Three: Judicial Waiver

| State | Minimum Age | Charges |
|-------------|----------------|--|
| Alabama | 14 | Any criminal offense |
| Alaska | No minimum age | Any criminal offense |
| Arizona | 14 | All "Sexual Offenses" in the Arizona Criminal Code |
| Arkansas | 16 | Any felony |
| | 14 | Rape |
| California | 16 | Any criminal offense |
| | 14 | Presumptive discretionary transfer; most serious contact sex offenses |
| Colorado | 12 | Violent sex offenses |
| | 14 | Any felony |
| Connecticut | 14 | All other felony sex offenses not covered by automatic transfer provision |
| Delaware | 14 | Any criminal offense |
| D.C. | 15 | Any felony |
| | 15 | Presumptive discretionary transfer if charged with First Degree Sexual Abuse |
| Florida | 14 | Any criminal offense |
| Georgia | 15 | Any felony |
| Hawaii | 16 | Any felony |
| | 14 | First Degree Sexual Assault and Continuous Sexual Assault of a Child |
| Idaho | 14 | Any crime |
| | No minimum | Forcible penetration offenses |
| Illinois | 13 | Any crime |
| Indiana | 16 | Most serious sex offenses |
| Iowa | 14 | Any crime |
| Kansas | 12 | Any crime |
| | 14 | Presumptive discretionary transfer for nearly all felony sex offenses |
| Kentucky | 14 | Rape or Sodomy |
| Louisiana | 14 | Aggravated Rape, Forcible Rape |
| Maine | No minimum | Most serious sex offenses |

Appendix Three: Judicial Waiver

| State | Minimum Age | Charges |
|----------------|-------------|--|
| Maryland | Under 15 | Rape in the First Degree, Sexual Offense in the First Degree |
| | 15 | Any crime |
| Michigan | 14 | Any felony |
| Minnesota | 14 | Any felony |
| | 16 | Presumptive discretionary transfer for some serious contact sex offenses |
| Mississippi | 13 | Any crime |
| Missouri | 12 | Any offense |
| Nebraska | 14 | First Degree Sexual Assault, First Degree Sexual Assault of a Child |
| Nevada | 14 | Any felony |
| New Hampshire | No minimum | Any felony |
| | 15 | Presumptive Transfer if charged with Aggravated Felony Sexual Assault |
| New Jersey | 14 | Aggravated Sexual Assault or Sexual Assault |
| North Carolina | 13 | Any felony |
| North Dakota | 14 | Any offense involving serious bodily harm |
| | 16 | Any offense |
| Ohio | 14 | Any felony |
| Oklahoma | No minimum | Any felony |
| Oregon | 15 | Rape, Sodomy, Object Sexual Penetration, Sexual Abuse |
| Pennsylvania | 14 | Any felony |
| Rhode Island | No minimum | First Degree Sexual Assault; First Degree Child Molestation |
| | 16 | Any felony |
| South Carolina | No minimum | Criminal Sexual Conduct |
| | 14 | Most serious felony offenses |

Appendix Three: Judicial Waiver

| State | Minimum Age | Charges |
|---------------|-------------|---|
| South Dakota | No minimum | Any felony |
| Tennessee | No minimum | Rape; Aggravated Rape; Rape of a Child; Aggravated Rape of a Child |
| | 16 | Any felony |
| Texas | 14 | Aggravated Sexual Assault |
| | 15 | Indecency with a Child; Sexual Assault |
| Utah | 14 | Any crime |
| | 16 | Hearing mandated when charged with Ag- gravated Sexual Assault |
| Vermont | 10-13 | Sexual Assault; Aggravated Sexual Assault |
| Virginia | 14 | Any felony |
| Washington | No minimum | Any offense |
| | 16 | Mandatory Hearing for Rape, Rape of a Child, Indecent Liberties (Class A), Child Molestation (First Degree) |
| | 17 | Mandatory Hearing for Indecent Liberties, Child Molestation in the Second Degree |
| West Virginia | Under 14 | Sexual Assault in the First Degree |
| | 14 | Any offense involving violence to the person |
| Wisconsin | 14 | First or Second Degree Sexual Assault |
| | 15 | Any offense |
| Wyoming | 13 | Any offense |

Appendix Four: Mandatory Registration

| State | Minimum Age | Duration | When Eligible for Removal |
|----------------|-------------|--|---|
| Alabama | 14 | Life | After 25 years |
| Colorado | None | Life | After successful completion of sentence and probation |
| Delaware | 14 | Life | After 25 years |
| Florida | None | Life | After 25 years |
| Idaho | 14 | Until Age 21 | DA may petition for extension of registration after age 21 |
| Illinois | None | Life | After 5 years |
| Iowa | 14 | Life | After 5 years |
| Kansas | None | Life | n/a |
| Louisiana | 14 | Life | After 25 years |
| Maryland | 14 | Terminates at end of juvenile court jurisdiction | May be extended in certain circumstances |
| Michigan | 14 | Life | After 25 years |
| Minnesota | None | Life | n/a |
| Mississippi | 14 | Life | After 25 years |
| Missouri | None | Life | n/a |
| Nevada | 14 | Life | After 25 years |
| New Jersey | None | Life | After 15 years |
| North Dakota | None | Life | n/a |
| Ohio | 16 | Varies depending on tier determination | Varies depending on tier determination |
| Oregon | None | Life | May petition 2 years after juvenile court jurisdiction ends |
| Pennsylvania | 14 | Life | After 25 years |
| Rhode Island | None | 15 Years (max) | n/a |
| South Carolina | None | Life | n/a |
| South Dakota | 14 | Life | n/a |
| Tennessee | 14 | Life | After 25 years |
| Washington | None | Life | May petition after 5 years |
| Wisconsin | None | Life | n/a |
| Wyoming | None | Life | May petition for removal after 10 years |

* These provisions are applicable to the *most serious sex offense(s)* in a state. Adjudications of delinquency for less serious sex offenses may not be subject to mandatory registration.

Appendix Five: Discretionary Registration

| State | Minimum Age | Duration | When Eligible for Removal |
|----------------|-------------|--|--|
| Arizona | None | All registration ends at age 25 | Court may terminate at the successful completion of probation |
| Arkansas | None | 10 years | May petition for removal at age 21 or at any time when juvenile court has jurisdiction |
| Indiana | 14 | Life | n/a |
| Massachusetts | None | 20 year maximum | May petition for removal after 10 years |
| Montana | None | Life | May petition for removal after 10 years or 25 years if risk assessed as level 1 or level 2 |
| New Hampshire | None | Until age 17 | May be extended to age 21 |
| North Carolina | 11 | Until age 18 or end of juvenile court jurisdiction, whichever occurs first | n/a |
| Ohio | 14 | Varies depending on tier determination | Varies depending on tier determination |
| Oklahoma | 14 | Until Age 21 | DA may petition to extend registration requirements past age 21 |
| Texas | None | 10 years | May petition for removal at any time |
| Virginia | 13 | Life | n/a |

* These provisions are applicable to the *most serious sex offense(s)* in a state. Adjudications of delinquency for less serious sex offenses may not be subject to registration.

Appendix Six: Statutory References

| State | Legislative Waiver | Prosecutorial Waiver | Judicial Waiver | Registration | Public Website Posting |
|-------------|------------------------------|----------------------------------|---|---|-------------------------------|
| Alabama | Ala. Code § 12-15-204 | | Ala. Code § 12-15-203 | Ala. Code § 15-20A-3(c) <i>et. seq.</i> | Ala. Code § 15-20A-8 |
| Alaska | Alaska Stat. § 47.12.030 | | Alaska Stat. § 47.12.100; Alaska Court Delinquency Rules, Part VI, Rule 20 | | |
| Arizona | Ariz. Rev. Stat. § 13-501(A) | Ariz. Rev. Stat. § 13-501(B) | Ariz. Rev. Stat. § 8-327 | Ariz. Rev. Stat. § 13-3821(D) | Ariz. Rev. Stat. § 13-3825(K) |
| Arkansas | | Ark. Code Ann. § 9-27-318 | Ark. Code Ann. § 9-27-318 | Ark. Code Ann. § 9-27-356 | |
| California | | Cal. Welf. & Inst. Code § 707(d) | Cal. Welf. & Inst. Code § 707(a) | Cal. Penal Code § 290.008(a) | Cal. Penal Code § 290.46 |
| Colorado | | Colo. Rev. Stat. § 19-2-518 | Colo. Rev. Stat. § 19-2-518 | Colo. Rev. Stat. § 16-22-102(3) | |
| Connecticut | Conn. Gen. Stat. § 46b-127 | | Conn. Gen. Stat. § 46b-127 | | |
| D.C. | D.C. Code § 16-2301 | | D.C. Code § 16-2307 | | |
| Delaware | Del. Code, tit. 10, § 921 | | Del. Code, tit. 10, §§ 921 & 1010 | Del. Code, tit. 11, § 4123 | Del. Code, tit. 11, § 4123 |
| Florida | | Fla. Stat. § 985.557 | Fla. Stat. § 985.556, Fla. Rules of Juv. Proc. 8.105 | Fla. Stat. § 943.0435(a)(1)(d) | Fla. Stat. § 943.043 |
| Georgia | Ga. Code Ann. § 15-11-560(b) | Ga. Code Ann. § 15-11-560(a) | Ga. Code Ann. § 15-11-561 | | |
| Hawaii | | | Haw. Rev. Stat. § 571-22 | | |
| Idaho | | | Idaho Code Ann. § 20-508 | Idaho Code Ann. § 18-8403 <i>et. seq.</i> | |

Appendix Six: Statutory References

| State | Legislative Waiver | Prosecutorial Waiver | Judicial Waiver | Registration | Public Website Posting |
|----------------------|--|------------------------------------|--|---|---|
| Illinois | 705 ILCS 405/5-130 | | 705 ILCS 405/5-805(3) | 730 ILCS 150/2(A)(5) & 150/3-5 | |
| Indiana | Ind. Code Ann. § 31-30-1-4 | Ind. Code Ann. § 31-30-3-5 | Ind. Code Ann. § 31-30-3-3 | Ind. Code Ann. § 11-8-8-4.5(b) | Ind. Code Ann. § 36-2-13-5.5 |
| Iowa | Iowa Code § 232.8 | | Iowa Code § 232.45 | Iowa Code § 692A.103(4) | Iowa Code § 692A.121 |
| Kansas | | | Kan. Stat. Ann. § 38-2347 | Kan. Stat. Ann. § 22-4906(h) | Kan. Stat. Ann. § 22-4909 |
| Kentucky | | | Kent. Rev. Stat. § 635.020 | | |
| Louisiana | La. Child Code Ann. art. 305 | La. Child Code Ann. art. 305 | La. Child Code Ann. art. 857 | La. Rev. Stat. § 15:542(A)(3) | La. Rev. Stat. § 15:542.1.5 |
| Maine | | | Me. Rev. Stat. tit. 15, § 3101(4) | | |
| Maryland | Md. Cts. & Jud. Proc. Code Ann. § 3-8A-03 | | Md. Cts. & Jud. Proc. Code Ann. § 3-8A-06 | Md. Code Ann., Crim. Proc. § 11-704.1 | |
| Massachusetts | | | | ALM GL c.6 § 178(e) | ALM GL c.6 § 178K |
| Michigan | | MCLS § 712A.2 | MCLS § 712A.4 | MLCS § 28.722(b) | |
| Minnesota | | | Minn. Stat. § 260B.125 | Minn. Stat. § 243.166(1b) | |
| Mississippi | Miss. Code Ann. § 43-21-151 | | Miss. Code Ann. § 43-21-157 | Miss. Code Ann. § 45-33-47(g) | Miss. Code Ann. § 45-33- 39(4)(b)(i) |
| Missouri | | | R.S. Mo. § 211.070 | R.S. Mo. § 589.400 | R.S. Mo. § 589.402 |
| Montana | MCA § 41-5-206 | MCA § 41-5-206 | | MCA §§ 46-23-502(10) & 41-5-153(1)(d) | MCA § 46-23-508 |
| Nebraska | | Neb. R.R.S. § 29-1816 | Neb. R.R.S. § 43-274 | * | * |
| Nevada | | | NRS § 62B.390 | NRS § 179D.095 | NRS § 179B.250 |
| New Hampshire | | | N.H. RSA § 169-B:24 | N.H. RSA § 169-B:19 | N.H. RSA § 651-B:7 |

Appendix Six: Statutory References

| State | Legislative Waiver | Prosecutorial Waiver | Judicial Waiver | Registration | Public Website Posting |
|----------------|------------------------------|------------------------|---|--|-------------------------------|
| New Jersey | | NJ Stat. § 2A:4A-26 | NJ Stat. § 2A:4A-26 | NJ Stat. § 2C:7-2(a)(1) | NJ Stat. § 2C:7-13 |
| New Mexico | | | | N.M. Stat. § 29-11A-5.1 | |
| New York | NY CLS CPL § 1.20(42) | | | | |
| North Carolina | | | NC Gen. Stat. § 7B-2200 | NC Gen. Stat. §§ 7B-2509 & 14-208.26 | NC Gen. Stat. § 14-208.29 |
| North Dakota | ND Cent. Code. § 27-20-34 | | ND Cent. Code. § 27-20-34 | ND Cent. Code § 12.1-32-15 | ND Cent. Code § 12.1-32-15 |
| Ohio | | | ORC § 2152.12 | ORC § 2152.86 | ORC § 2152.86 |
| Oklahoma | 10A Okla. St. § 2-5-101 | | 10A Okla. Stat. § 2-2-403 | 10 Okla. Stat. § 2-8-102 | |
| Oregon | ORS § 137.707 | | ORS § 419C.349 (superseded) | ORS § 181.809 | ORS § 181.835 |
| Pennsylvania | | | 42 Pa.C.S. § 6355 | Pa.C.S. § 9799.12 | |
| Rhode Island | RI Gen. Laws § 14-1-3 | | RI Gen. Laws § 14-1-7 | RI Gen. Laws § 11-37.1-2 | |
| South Carolina | SC Code Ann. § 63-19-20 | | SC Code Ann. § 63-19-1210 | SC Code Ann. § 23-3-340 | SC Code Ann. § 23-3-490 |
| South Dakota | SD Cod. Laws § 26-11-3.1 | | SD Cod. Laws § 26-11-4 | SD Cod. Laws § 22-24B-2 | SD Cod. Laws § 22-24B-21 |
| Tennessee | | | Tenn. Code Ann. § 37-1-134 | Tenn. Code Ann. § 40-39-202(27) | |
| Texas | | | Tex. Fam. Code § 54.02 | Tex. Code Crim. Proc. §§ 62.001(5) & 62.352 | |
| Utah | | | Utah Code Ann. §§ 78A-6-702 & -703 | Utah Code Ann. §§ 77-41-102(9)(f) & (16)(f) | |
| Vermont | 33 VSA § 5201 | 33 VSA § 5203(c) | 33 VSA § 5204 | | |

Appendix Six: Statutory References

| State | Legislative Waiver | Prosecutorial Waiver | Judicial Waiver | Registration | Public Website Posting |
|---------------|--------------------------------|-------------------------------|--------------------------------|-----------------------------------|----------------------------------|
| Virginia | | Va. Code Ann. § 16.1-269.1 | Va. Code Ann. § 16.1-269.1 | Va. Code Ann. § 9.1-902(G) | Va. Code Ann. § 9.1-913 |
| Washington | Rev. Code Wash. § 13.04.030 | | Rev. Code Wash. § 13.30.110 | Rev. Code Wash. § 9A.44.128(2) | Rev. Code Wash. § 4.24.550(5) |
| West Virginia | | W. Va. Code § 49-5-10 | W. Va. Code § 49-5-10 | | |
| Wisconsin | | | Wis. Stat. § 938.18 | Wis. Stat. § 301.45(1g)(a) | |
| Wyoming | | Wyo. Code § 14-6-203 | Wyo. Code § 14-6-237 | Wyo. Code § 7-19-301(a)(iii) | |

* Nebraska will only register a juvenile if they required to register by another jurisdiction within the United States. See <https://sor.nebraska.gov/FAQ>.