

TITLE 6: CRIMES AND CRIMINAL PROCEDURE
DIVISION 1: CRIMES AGAINST THE PERSON

§ 1370. Failure to Appear for Registration and Absconding.

(a) *Failure to Appear.* In the event a sex offender fails to register with the SORA-Office/DPS and/or LESA as required by this article, the SORA-Office/DPS shall immediately inform the jurisdiction that provided notification that the sex offender was to commence residency, employment, or school attendance within the Commonwealth that the sex offender failed to appear for registration.

(b) *Absconded Sex Offenders.* If the SORA-Office/DPS and/or LESA receives information that a sex offender has absconded the tribal police shall make an effort to determine if the sex offender has actually absconded.

(1) In the event no determination can be made, the SORA-Office/DPS shall ensure that any other appropriate agency is notified.

(2) If the information indicating the possible absconding came through notice from another jurisdiction or federal authorities, they shall be informed that the sex offender has failed to appear and register.

(3) If an absconded sex offender cannot be located then the SORA-Office/DPS shall take the following steps:

(i) Update the registry to reflect the sex offender has absconded or is otherwise not capable of being located.

(ii) Seek a warrant for the sex offender's arrest, and the U.S. Marshals Service or FBI shall be contacted in an attempt to obtain a federal warrant for the sex offender's arrest,

(iii) Notify the U.S. Marshals Service,

(iv) Update NSOR to reflect the sex offender's status as an absconder, or is otherwise not capable of being located, and

(v) Enter the sex offender into the National Crime Information Center (NCIC) Wanted Person File.

(c) *Failure to Register.* In the event a sex offender who is required to register due to their employment or school attendance status fails to do so or otherwise violates a registration requirement of this article, the SORA-Office/DPS shall take all appropriate follow-up measures including those outlined in § 1370(b). The SORA-Office/DPS shall first make an effort to determine if the sex offender is actually employed or attending school within the Commonwealth.

Source: PL 11-104, § 1 (Section 11 of reenacted PL 11-35) repealed and reenacted PL 11-35; repealed and reenacted by PL 17-49 § 2(1370) (July 29, 2011), modified.

Commission Comment: The Commission italicized titles of subsections for emphasis and changed capitalization in this section for conformity pursuant to 1 CMC § 3806(f).