



DEPARTMENT OF THE NAVY
OFFICE OF THE SECRETARY
1000 NAVY PENTAGON
WASHINGTON, DC 20350-1000

SECNAVINST 5800.14
PERS-84
23 Oct 2001

SECNAV INSTRUCTION 5800.14

From: Secretary of the Navy
To: All Ships and Stations

Subj: NOTICE OF MILITARY OFFENDERS CONVICTED OF SEX OFFENSES
OR CRIMES AGAINST MINORS

Ref: (a) Section 115(a)(8)(C) of P.L. 105-119, 26 Nov 97,
111 Stat 2466, reprinted as a note to 10 U.S.C. 951
(b) 42 U.S.C., Section 14071
(c) DODD 1325.4 of 17 Aug 01 (NOTAL)
(d) DODI 1325.7 of 17 Jul 01 (NOTAL)

Encl: (1) List of Offenses Requiring Processing as a Convicted
Sex Offender
(2) DD 2791-1, Prisoner's Acknowledgement of Sex
Offender Registration Requirements
(3) DD 2791, Notice of Release of Military Offender
Convicted of Sex Offense
(4) NAVPERS 5800/1, Acknowledgement of Sex Offender
Registration Requirements
(5) NAVPERS 5800/2, Notice of Conviction of Military
Offender Convicted of Sex Offense

1. Purpose. To establish the Notification Program for military offenders sentenced by court-martial for sex offenses or crimes against minors; to designate those persons responsible for identifying the offender sentenced for sex offenses or crimes against minors; and to perform the notifications required by references (a) and (b). Hereafter, the term "sentenced" refers to the date the sentence is adjudged.

2. Background. Sex offenders were previously required to register themselves with appropriate authorities in the locality where they chose to live. This requirement has been expanded to better meet the needs of the community. References (c) and (d) implement the requirements of references (a) and (b) to ensure registration and notification to State and local jurisdiction are made by the Services, not just the offender.

3. Applicability. This instruction applies throughout the Department of Navy (DON). It pertains to all DON personnel sentenced at general or special courts-martial of a qualifying sex offense or crime against minors as listed in enclosure (1).

4. Policy. DON will take steps necessary to provide notification concerning all military offenders sentenced for sex offenses or crimes against minors as required by references (a) through (d) and implement a notification program for the registration of all applicable military offenders.

5. Limitation. No limitations are placed on the lawful prerogatives of DON or its officials.

6. Responsibility

a. Assistant Secretary of the Navy (Manpower and Reserve Affairs) (ASN(M&RA)) is responsible for overall policy and execution of the Notification Program for military offenders sentenced for sex offenses or crimes against minors.

b. Navy Personnel Command, Corrections and Programs Division (NAVPERSCOM (PERS-84)) and Commandant of the Marine Corps (CMC (POS-40)) are designated as the component responsible officials (CRO) for the notification program for military offenders sentenced for sex offenses or crimes against minors. NAVPERSCOM (PERS-84) and CMC (POS-40) shall

(1) establish procedures to ensure the Notification Program for military offenders sentenced for sex offenses or crimes against minors are in compliance with references (c) and (d).

(2) develop and implement a Notification Program for military offenders sentenced for sex offenses or crimes against minors using a multi-disciplinary approach by judge advocates, corrections personnel, Naval Criminal Investigative Service (NCIS), and unit commanding officers (COs). All affected Navy and Marine Corps activities shall comply with references (c) and (d).

(3) establish a training program to ensure service providers receive instruction in fulfilling the requirements for

the DON Notification Program for military offenders sentenced for sex offenses or crimes against minors.

(4) establish an integrated and comprehensive system capable of providing services and reports outlined in references (c) and (d).

(5) provide personnel in sufficient numbers to ensure the program is effective.

(6) ensure within their respective Service's confinement facilities

(a) prior to the final release from confinement of a prisoner sentenced for an offense listed in enclosure (1), the confinement facility's CO, officer-in-charge (OIC), chief petty officer-in-charge (CPOIC) or brig officer advise the prisoner of the registration requirements of the State in which the prisoner will reside upon release from confinement.

(b) through the use of enclosure (2), obtain the prisoner's acknowledgement in writing they were informed of the registration requirements. The notice, provided to the prisoner shall contain information that the prisoner is subject to a registration requirement as a sex offender in any State the prisoner resides, is employed, carries on a vocation, or is a student. Documentation shall be made a part of the prisoner's permanent file and files maintained according to current regulations. A copy of the prisoner's acknowledgement, enclosure (2), shall be forwarded to the appropriate unit commander or agency for inclusion into the service record.

(c) before release of a prisoner sentenced for a covered offense, the facility's CO, OIC, CPOIC or brig officer provide written notice of the release using enclosure (3) to the following:

1. Chief law enforcement officer of the State in which the prisoner will reside upon release from confinement.

2. Chief law enforcement officer of the local jurisdiction in which the prisoner will reside upon release from confinement.

3. State or local agency responsible for receipt or maintenance of a sex offender registration in the State or local jurisdiction in which the prisoner will reside upon release from confinement.

(d) ensure the notices include the prisoner's name, projected address, criminal history including prior court-martial convictions, a description of the offense of which the prisoner was sentenced, restrictions or conditions of release, final release date, and information the prisoner shall be subject to a registration requirement as a sex offender. Enclosure (3) shall be used for making the required notifications. The notice shall be provided at least 5 days prior to the prisoner's release from confinement. A prisoner's previously approved release date may not be extended due to failure of the confinement facility to complete required notifications prior to the prisoner's release.

(e) ensure upon transfer of a military prisoner sentenced for a covered offense to a facility under control of Federal Bureau of Prisons (FBOP), the confinement facility provide written notification to the FBOP the prisoner has been so convicted. FBOP will provide notice of release and inform the prisoner concerning registration obligations under the law. Notification to State and local officials is not required when prisoners are transferred to another correctional facility.

c. Convening Authority or Convening Authority's Designee

(1) shall, immediately upon sentencing, provide notification to NCIS concerning those military persons sentenced at a general or special court-martial of a sex offense or a crime against a minor as listed in enclosure (1), when those offenders

(a) are not confined in a service operated confinement facility.

(b) notification to NCIS shall include the information required in paragraph 6.b(6)(d) of this instruction.

(2) shall obtain member's acknowledgement in writing they were informed of the registration requirements using enclosure (4). A copy of the prisoner's acknowledgement,

enclosure (4), shall be forwarded to the appropriate unit commander or agency for inclusion into the service record.

(3) shall immediately upon completion of any post-trial action that would affect reporting requirements under references (a) through (d), including, e.g., modification or disapproval of findings or sentence, provide notification to NCIS of such action.

d. NCIS shall provide the required notification

(1) within 15 days of receipt of information forwarded by the convening authority in the case of those offenders to whom paragraph 6.c(1) above applies.

(2) within 15 days of completion of any post-trial action described in paragraph 6.b(6)(d) above.

(3) ensuring the notices include the offender's name, projected address, criminal history including prior court-martial convictions, a description of the offense of which the offender was sentenced, restrictions or conditions of release, final release date, and information the offender shall be subject to a registration requirement as a sex offender. Enclosure (5) shall be used for making the required notifications.

e. Judge Advocate General (JAG) of the Navy shall provide advice, guidance and assistance regarding legal aspects of the Notification Program for military offenders sentenced for sex offenses or crimes against minors.

7. Forms

a. Following forms may be obtained at website <http://web1.whs.osd.mil/ICDHOME/NICDHOME.htm>:

DD 2791 (MAR 99) (EG), Notice of Release of Military Offender Convicted of Sex Offense

DD 2791-1 (NOV 99), Prisoner's Acknowledgement of Sex Offender Registration Requirements

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b. Following forms may be obtained at website
<http://forms.daps.mil/order/>:

NAVPERS 5800/1, Acknowledgement of Sex Offender
Registration Requirements

NAVPERS 5800/2, Notice of Conviction of Military
Offender Convicted of Sex Offense

William A. Navas, Jr.
Assistant Secretary of the Navy
(Manpower and Reserve Affairs)

Distribution:
SNDL Parts 1 and 2
MARCORPS PCN 71000000000 and 71000000100

**LIST OF OFFENSES REQUIRING PROCESSING AS A CONVICTED
SEX OFFENDER**

Convictions of any of the following offenses punishable under the Uniform Code of Military Justice (UCMJ) shall trigger requirements to notify State and local law enforcement agencies and to provide information to inmates concerning sex offender registration requirements. For purposes of this instruction, conduct which is criminal only because of the age of the victim shall not be considered a triggering offense if the perpetrator was 18 years of age or younger when the offense was committed.

UCMJ Article	DIBRS Code	Offense
120	120A	Rape
120	120B1/2	Carnal Knowledge
125	125A	Forcible Sodomy
125	125b1/2	Sodomy of a Minor
133	133D	Conduct Unbecoming an Officer (involving any sexually violent offense or a criminal offense of a sexual nature against a minor or kidnapping of a minor).
	134-B6	Prostitution Involving a Minor
134	134-C1	Indecent Assault
134	134-C4	Assault with Intent to Commit Rape
134	134-C6	Assault with Intent to Commit Sodomy
134	134-R1	Indecent Act with a Minor
134	134-R3	Indecent Language to a Minor
134	134-S1	Kidnapping of a Minor (by a person not parent)
134	134-Z	Indecent exposure committed in the presence of a minor; depositing obscene materials involving minors in the mail; and pandering involving minors.
134	134-Z	Conduct Prejudicial to Good Order and Discipline (involving any sexually violent offense or a criminal offense of a sexual nature against a minor or kidnapping of a minor)
134	134-Y2	Conviction under Federal or assimilated State law for offenses or sexual violence, or of a sexual nature against or involving a minor, including the production, possession, or transmission of pornography that depicts a minor, or kidnapping a minor

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**LIST OF OFFENSES REQUIRING PROCESSING AS A CONVICTED
SEX OFFENDER (CONT'D)**

80		Attempt (to commit any of the foregoing)
81		Conspiracy (to commit any of the foregoing)
82	082-A	Solicitation (to commit any of the foregoing)

FOR OFFICIAL USE ONLY (When Filled In)

PRISONER'S ACKNOWLEDGEMENT OF SEX OFFENDER REGISTRATION REQUIREMENTS	
PRIVACY ACT STATEMENT	
AUTHORITY: Public Law 105-119, section 115(a)(8); 10 U.S.C. 951 (Note).	
PRINCIPAL PURPOSE(S): To notify an offender of the requirement to register upon release from confinement with state authorities as a sex offender and to record the inmate's acknowledgment of receiving notice of and information pertaining to the requirement. To obtain an offender's expected place of residence following release.	
ROUTINE USE(S): To State and local law enforcement authorities for purposes of notification that a sex offender will be residing in a local community and to State or local officials for purposes of registering the individual as a sex offender.	
DISCLOSURE: Voluntary. Failure to provide an expected place of residence may result in denial of your request for parole or delay your release from confinement.	
I, _____, _____, _____, _____ <small>(Full Name - Last, First, Middle) (Rank) (Service) (Social Security Number)</small>	
was convicted and sentenced for the commission of <input type="checkbox"/> a sexual offense <input type="checkbox"/> sexual offenses <input type="checkbox"/> an offense involving a minor.	
I have been informed that I will be released from confinement on or about: _____ <small>(YYYYMMDD)</small>	
I certify that upon release from confinement I will reside at the following address:	
_____ <small>(Street, Apartment Number)</small>	
_____ <small>(City, State, and ZIP Code)</small>	
I hereby acknowledge that I was informed that upon my release from confinement, I am subject to registration requirements as a sex offender in any State or U.S. territory in which I will reside, be employed, carry on a vocation, or be a student. I was further informed that the chief local law enforcement officer of the jurisdiction in which I will reside upon release from confinement is being provided written notice of the date of my release from confinement, the offense(s) of which I was convicted, and that I am subject to a registration requirement as a sex offender. A similar notice will also be submitted to state law enforcement and sex offender officials. I understand that I must contact the office that follows, to ensure that sex offender registration requirements are met:	
_____ <small>(Organization)</small>	
_____ <small>(Address)</small>	
_____ <small>(City, State, and ZIP Code)</small>	
_____ <small>(Telephone Number)</small>	
I acknowledge that I was informed that every change in my address must be reported in the manner provided by State law. I also acknowledge being informed that if I move to another state, I must report the change of address to the responsible agency in the state I am leaving, and comply with the registration requirements in the new state of residence. I understand that the failure to register may constitute grounds to revoke parole.	
Finally, I understand that if I fail to register and/or change or update such registration information as required under a State sex offender registration program, I may be subject to criminal prosecution.	
Signed on this _____ day of _____, _____.	
WITNESS: _____ <small>(Signed Name)</small>	PRISONER: _____ <small>(Signed Name)</small>
_____ <small>(Printed Name)</small>	_____ <small>(Printed Name)</small>
_____ <small>(Rank) (Service)</small>	_____ <small>(Rank) (Service)</small>

DD FORM 2791-1, NOV 1999

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NOTICE OF RELEASE OF MILITARY OFFENDER CONVICTED OF SEX OFFENSE			
1. TO	STATE LAW ENFORCEMENT	LOCAL LAW ENFORCEMENT	STATE SEX OFFENDER REGISTRATION OFFICIAL
a. ADDRESS (Include ZIP Code)			b. DATE (YYYYMMDD)
<p>Pursuant to Federal Law (Section 115(a) of Title I of Pub. L. 105-119) the Department of Defense is notifying your office of the release of an offender who, based on available information, was convicted of a sex offense or a crime against a victim who was a minor. The offender is subject to sex offender registration under Federal law. For additional information, please contact the point of contact with the confinement facility of release who is identified below.</p>			
2. NAME OF OFFENDER (Last, First, Middle Initial)			3. SOCIAL SECURITY NUMBER
4. CURRENT AND PRIOR CRIMINAL HISTORY OF SEXUAL OFFENSE(S)			
a. OFFENSE DESCRIPTION	b. UCMJ CODE	c. DATE OF CONVICTION (YYYYMMDD)	d. PLACE OF CONVICTION
5. FINAL RELEASE DATE (YYYYMMDD)			
6. OFFENDER'S PROJECTED ADDRESS (Include ZIP Code)			
7. RELEASE CONDITIONS OR RESTRICTIONS			
8. CONFINEMENT FACILITY RELEASING OFFENDER			
a. NAME OF FACILITY	b. ADDRESS (Include ZIP Code)		
9. CONFINEMENT FACILITY POINT OF CONTACT			
a. NAME (Last, First, Middle Initial)	b. ADDRESS (Include ZIP Code)	c. TELEPHONE NUMBER (Include Area Code)	
10. CONFINEMENT FACILITY COMMANDER			
a. TYPED NAME (Last, First, Middle Initial)	b. SIGNATURE		
<p>In the event you are not the law enforcement agency with jurisdictional authority consistent with the offender's release address, please forward these documents to the appropriate authority.</p>			

DD FORM 2791, MAR 1999 (EG)

WHS/DIOR, Mar 99

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ACKNOWLEDGEMENT OF SEX OFFENDER REGISTRATION REQUIREMENTS

PRIVACY ACT STATEMENT

AUTHORITY: Public Law 105-119, section 115(a) (8); 10 U.S.C. 951 (note).

PRINCIPAL PURPOSE(S): To notify an offender of the requirement to register with state authorities as a sex offender and to record the offender's acknowledgment of receiving notice of and information pertaining to the requirement. To obtain an offender's expected place of residence.

ROUTINE USE(S): To State and local law enforcement authorities for purposes of notification that a sex offender will be residing in a local community and to State or local officials for purposes of registering the individual as a sex offender.

DISCLOSURE: Voluntary.

I. _____
(Full Name - Last, First, Middle) (Rank) (Service) (Social Security Number)

was convicted and sentenced for the commission of (Check all that apply)

a sexual offense, sexual offenses, an offense involving a minor.

I was convicted on or about: _____
(YYYYMMDD)

I CERTIFY THAT I PRESENTLY RESIDE AT AND WILL RESIDE AT THE FOLLOWING ADDRESS IN THE FUTURE:

Reside At

Will Reside At

I hereby acknowledge that I was informed that I am subject to registration requirements as a sex offender in any State or U.S. Territory in which I will reside, be employed, carry on a vocation, or be a student. I was further informed that the chief local law enforcement officer of the jurisdiction in which I will reside is being provided written notice of the offense(s) of which I was convicted, and that I am subject to a registration requirement as a sex offender. A similar notice will also be submitted to state law enforcement and sex offender officials. I understand that I must contact the appropriate State office to ensure that sex offender registration requirements are met.

I acknowledge that I was informed that every change in my address must be reported in the manner provided by State law. I also acknowledge being informed that if I move to another state, I must report the change of address to the responsible agency in the state I am leaving, and comply with the registration requirements in the new state of residence.

Finally, I understand that if I fail to register and/or change or update such registration information as required under a State sex offender registration program, I may be subject to criminal prosecution.

Signed on this _____ day of

WITNESS:

SERVICE MEMBER:

(Signed Name)

(Signed Name)

(Printed Name)

(Printed Name)

(Rank) (Service)

(Rank) (Service)

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NOTICE OF CONVICTION OF MILITARY OFFENDER CONVICTED OF SEX OFFENSE

1. To <input type="checkbox"/> STATE LAW ENFORCEMENT		<input type="checkbox"/> LOCAL LAW ENFORCEMENT	STATE SEX OFFENDER <input type="checkbox"/> REGISTRATION OFFICIAL	
a. ADDRESS (Include zip code)			b. DATE (YYYYMMDD)	
Pursuant to Federal Law (Section 115(a) of Title 1 of Pub. L. 105-119) the Department of Defense is notifying your office of the conviction of an offender who, based on available information, was convicted of a sex offense or a crime against a victim who was a minor. The offender is subject to sex offender registration under Federal law. For additional information, please contact the point of contact with the convening authority or designee who is identified below.				
2. NAME OF OFFENDER (Last, First, Middle Initial)			3. SOCIAL SECURITY NUMBER	
4. CURRENT AND PRIOR CRIMINAL HISTORY OF SEXUAL OFFENSE(S):				
a. OFFENSE DESCRIPTION	b. UCMJ CODE	c. DATE OF CONVICTION (YYYYMMDD)		d. PLACE OF CONVICTION
5. SEPARATION FROM SERVICE DATE:				
6. OFFENDER'S PROJECTED ADDRESS: (Include zip code)				
7. RELEASE CONDITIONS OR RESTRICTIONS:				
8. CONVENING AUTHORITY OR DESIGNEE:				
a. NAME OF COMMAND			b. ADDRESS (Include zip code)	
9. CONVENING AUTHORITY OR DESIGNEE POINT OF CONTACT:				
a. NAME (Last, First, Middle Initial)		b. ADDRESS (Include zip code)		c. TELEPHONE NUMBER (Include Area Code)
10. REPORTING OFFICIAL:				
a. TYPED NAME: (Last, First, Middle Initial)			b. SIGNATURE:	
In the event you are not the law enforcement agency with jurisdiction authority consistent with the offender's release address, please forward these documents to the appropriate authority.				

NAVPERS 5800/2 (05-01)

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