**Sex Offender Registration Decision Making Questionnaire**

**Section 2: Verifies the person is required to register as a sex offender with the Chief Law Enforcement Officer under RSMo 589.400 and Determine if the person should be classified as a Tier III Missouri Sex Offender.**

**2-1: Has the person being registered been committed to the department of mental health as a criminal sexual psychopath?(RSMo 589.400.1(3) and RSMo 589.414.7(5))**

 A1: Yes—Classify the person as a TIER III Sex Offender

 A2: No—Go to the next question.

**2-2: Has the person been registered, or found to be a, Predatory sexual offender under RSMO 566.125?(RSMo 589.414.7(1))**

 A1: Yes – Classify the person as a TIER III Sex Offender

 A2: No – Go to the next question.

**2-3: Has the person been registered, or found to be a, persistent sex offender under RSMO 566.125?(RSMo 589.414.7(1))**

 A1: Yes – Classify the person as a TIER III Sex Offender

 A2: No – Go to the next question.

**2-4: Has the person been convicted of any of the following: (RSMo 589.414.7.(2))**

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| Kidnapping in the first degree 565.110 if the victim is under 18 YOA, excluding kidnapping by a parent or guardian | 565.110 |
| Child kidnapping 565.115 | 565.115 |
| Rape in the first degree 566.030 | 566.030 |
| Rape in the second degree 566.031 | 566.031 |
| Statutory rape in the first degree 566.032 | 566.032 |
| Statutory rape in the second degree 566.034 | 566.034 |
| Sodomy in the first degree 566.060 | 566.060 |
| Sodomy in the second degree 566.061 | 566.061 |
| Statutory sodomy 566.062 | 566.062 |
| Statutory sodomy 566.064 if the victim is under 16 YOA | 566.064 |
| Child molestation in the first degree 566.067 | 566.067 |
| Child molestation in the second degree 566.068 | 566.068 |
| Child molestation in the third degree 566.069 if the victim is under 13 YOA | 566.069 |
| Child molestation in the fourth degree 566.071 if the victim is under 13 YOA | 566.071 |
| Sexual misconduct involving a child 566.083 if the offense is a second or subsequent offense | 566.083 |
| Sexual contact with a student 566.086 if the victim is under 13 YOA | 566.086 |
| Sexual abuse in the first degree 566.100 if the victim is under 13 YOA | 566.100 |
| Sexual abuse in the second degree 566.101 if the penalty is a term of imprisonment of more than a year (refer to aggravated sexual offense defined under RSMO 566.010) | 566.101 |
| Sexual conduct with a nursing facility resident or vulnerable person in the first degree 566.115, and punishment is greater than 1 year | 566.115 |
| Sexual contact with a prisoner of offender 566.145 if the victim is under 13 YOA | 566.145 |
| Sexual intercourse with a prisoner or offender 566.145 | 566.145 |
| Trafficking for the purpose of sexual exploitation 566.209 if the victim is under 18 YOA | 566.209 |
| Sexual trafficking of a child in the first degree 566.210 | 566.210 |
| Sexual trafficking of a child in the second degree 566.211 | 566.211 |
| Patronizing prostitution 567.030 if the offender is a persistent offender | 567.030 |
| Promoting prostitution in the first degree 567.050 if the victim is under 18 YOA | 567.050 |
| Promoting prostitution in the second degree 567.060 if the victim is under 18 YOA | 567.060 |
| Promoting prostitution in the third degree 567.070 if the victim is under 18 YOA | 567.070 |
| Promoting travel for prostitution 567.085 if the victim is under 18 YOA | 567.085 |
| Incest 568.020 | 568.020 |
| Endangering the welfare of a child in the first degree 568.045 with sexual intercourse or deviate sexual intercourse with a victim under 18 YOA | 568.045 |
| Abuse of a child 568.060 if the offense is of a sexual nature and the victim is under 13 YOA | 568.060 |
| Genital mutilation of a female child 568.065 | 568.065 |
| Use of a child in a sexual performance 573.200 | 573.200 |
| Promoting a sexual performance by a child 573.205 | 573.205 |

 A1: Yes – Classify the person as a TIER III Sex Offender

 A2: No – Go to the next question.

**2-5: Has the person been adjudicated for a crime comparable to a Tier II offense listed in RSMo 589.414, or failure to register as a sex offender under RSMO 589.425; And Is already required to register as a Tier II Sex Offender for a different prior adjudication?(RSMo 589.414.7(3))**

A1: Yes – Classify the person as a TIER III sex offender

A2: No – Go to the next question.

**2-6: Is the person registering a new Tier I sex offense, or a failure to register as a sex offender; and have two, Tier I prior offenses, or combination of a prior Tier I offense and prior failure to register offense?(RSMo 589.414.7(3))**

 A1: Yes – Classify the person as a Tier III Sex Offender

 A2: No – Go to question 2-7

**2-7: Has the person been adjudicated in:(RSMo 589.414.7(4))**

* Another state
* Territory of the United States
* Federal Jurisdiction
* Tribal Jurisdiction
* Military Jurisdiction
* for an offense of a sexual nature, or with a sexual element, that is comparable to a Missouri Tier III offense, or as a Tier III under SORNA.

A1: Yes – Classify the person as a Tier III Sex Offender

A2: Go to question 2-8

**2-8: Has the person been adjudicated in Missouri for any offense of a sexual nature requiring registration by RSMO 589.400 to 589.425 that is not classified as a Tier I or Tier II offense?(RSMo 589.414.7(5))**

 A1: Yes – Classify the person as a Tier III Sex Offender

 A2: No – Go to Tier II Questionnaire

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| --- | --- |
| Endangering the welfare of a child 568.045 when endangerment is sexual in nature. | 568.045 |
| Promoting Prostitution in the first degree 567.050 | 567.050 |
| Promoting Prostitution in the second degree 589.414 | 589.414 |
| Promoting Prostitution in the third degree 589.414 | 589.414 |
| Furnishing pornographic material to minors 573.040 | 573.040 |
| Public display of explicit sexual material. 573.060 | 573.060 |
| Coursing acceptance of obscene material. 573.065 | 573.065 |
| Promoting obscenity in the first degree 573.020 | 573.020 |
| Promoting pornography for minors or obscenity in the second dgree 573.030 | 573.030 |