

ORDINANCE NO. 30

AN ORDINANCE REQUIRING CONVICTS TO REGISTER AND SUPPLY CERTAIN INFORMATION TO THE SHERIFF OF WASHOE COUNTY; REQUIRING NOTIFICATION OF CHANGE OF RESIDENCE OF THE CONVICTS; PROVIDING FOR PHOTOGRAPHING AND FINGERPRINTING OF CONVICTS; PROVIDING THAT REGISTRATION RECORDS SHALL BE CONFIDENTIAL; PROHIBITING FALSE STATEMENTS IN REGISTRATION; PROVIDING A PENALTY FOR VIOLATION AND OTHER MATTERS PROPERLY RELATING THERETO.

THE BOARD OF COUNTY COMMISSIONERS OF WASHOE COUNTY DO ORDAIN:

Section 1. "Convicted person" defined. For the purpose of this ordinance, the words "convicted person" are defined as follows:

(a) Any person who has been or hereafter is convicted of an offense punishable as a felony in the State of Nevada, or who has been or is hereafter convicted of any offense in any place other than the State of Nevada which offense, if committed in the State of Nevada, would be punishable as a felony:

(b) Any person who has been or hereafter is convicted in the State of Nevada, or elsewhere, of the violation of any law, whether the same is or is not punishable as a felony:

1. Relating to or regulating the possession, distribution, furnishing, or use of any habit-forming drug of the kind or character described and referred to in 1929 N. C. L. 1931-41 Supp. Sections 5091.01 - 5091.26;

2. Regulating or prohibiting the carrying, possession or ownership of any concealed weapon, or deadly weapon, or any weapon capable of being concealed, or regulating or prohibiting the possession, sale or use of any device, instrument, or attachment designed or intended to be used for the purpose of silencing the report, or concealing the discharge or flash of any firearm;

3. Regulating or prohibiting the use, possession, manufacture, or compounding of tear gas, or any other gas, which may be used for the purpose of temporarily or permanently disabling any human being.

(c) Any person who, in the State of Nevada or elsewhere, has been, or hereafter is adjudicated, or is convicted of being a drug addict, as such term or may be defined in the Statutes of Nevada.

(d) Any person who has been, or who hereafter is convicted of a crime in the State of Nevada, under the provisions of one or more of the following sections of the Nevada Compiled Laws (1929), to-wit: Sections 10124-10211, inclusive, or who has been, or hereafter is convicted, in any place other than the State of Nevada, of an offense which, if committed in this state would have been punishable under one or more of said sections.

(e) Any person who has been, or who hereafter is convicted in the State of Nevada or elsewhere of any attempt or conspiracy to commit any offense described or referred to in this ordinance.

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(f) Provided, however, that any person, except as hereinafter set forth, whose conviction is or has been set aside in a manner provided by law, shall not be deemed a convicted person.

[Book "Q", p. 262 (10-20-1947)]

Section 2. Convicts registration: Information required.

(a) It shall be unlawful for any convicted person to be or remain in Washoe County, Nevada for a period of more than 5 days, without, during such 5-day period, registering with the Sheriff of Washoe County in the manner hereinafter prescribed.

(b) Any convicted person who does not reside in the County of Washoe, but who has a temporary or permanent place of abode outside the County of Washoe and who came into the County of Washoe on five occasions or more during any 30-day period, shall be subject to the provisions of this ordinance.

(c) Provided, that any person who has once registered, as a convicted person, with the Sheriff of Washoe County, shall not be required to register again, except as provided in section 3 of this ordinance; provided, further, however, that any person convicted of any of the crimes enumerated in subdivision (d) of section 1 of this ordinance shall register as provided in this section, regardless of whether he has previously so registered as a convicted person by reason of his conviction of some crime other than those enumerated in said section 1, subdivision (d).

(d) Every person required by this section to register shall do so by filing with the Sheriff of Washoe County a statement in writing, signed by such person, upon a form prescribed and furnished by the Sheriff of Washoe County, giving the following information:

1. His true name and all aliases which he has used or under which he may have been known.
2. A full and complete description of his person.
3. The kind, character and nature of each crime of which he has been convicted.
4. The place where each of such crimes was committed and the place or places of conviction.
5. The name under which he was convicted in each instance and the date thereof.
6. The name, if any, and the location of each prison, reformatory, jail or other penal institution in which he was confined or to which he was sentenced.
7. The location and address of his residence, stopping place, living quarters or place of abode in the County of Washoe, if more than one residence, stopping place, or place of abode, that fact must be stated and the location and address of each given.
8. A statement of the kind of residence, stopping place or place of abode in which he resides, whether the same is temporary or permanent, i. e., whether the same is a private residence, hotel, apartment house, or other building or structure.
9. The length of time he has occupied each such place of residence, stopping place or place of abode; and the length of time he expects or intends to remain in the County of Washoe.
10. Such other and further information as may be required by the Sheriff.

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of Washoe County for the purpose of aiding and assisting in carrying into effect the provisions and intent of this ordinance.

[Book "Q", p. 262 (10-20-1947)]

Section 3. Convicts: Change of residence. Any convicted person, except a non-resident, who is required to register under the provisions of this ordinance, who changes his place of residence, stopping place, or living quarters, shall, within 48 hours after such change, and any non-resident mentioned in section 2 (b) who has registered and changes his place of residence, stopping place or living quarters, shall, upon his next entry into the County of Washoe after such change, notify the Sheriff of Washoe County of such fact and furnish to such Sheriff the address of his new residence, stopping place or living quarters in the same manner and with the same detailed information as is required in the filing of the original statement under the provisions of section 2.

[Book "Q", p. 262 (10-20-1947)]

Section 4. Convicts: Photographing and fingerprinting. Each convicted person, at the time of registering and furnishing the information required by sections 2 and 3, shall be photographed and fingerprinted by the Sheriff of Washoe County, who shall cause such photographs and fingerprints to be made a part of the record provided for by sections 4 and 6.

[Book "Q", p. 262 (10-20-1947)]

Section 5. Records confidential. The statements, photographs and fingerprints hereinbefore provided for shall at all times be kept by the Sheriff of Washoe County in a file separate and apart from other files and records maintained and kept by the Sheriff's Office, and shall not be open to inspection by the public, or by any person other than a regular member of the Sheriff's Office. Any such photograph, or duplicates thereof, may be exhibited to persons other than members of the Sheriff's Department of Washoe County for the purpose of assisting in identifying perpetrators of any crime. Copies of said statements, photographs and fingerprints may be transmitted to the Sheriff of any county in the State of Nevada, to the head of any organized police department of any municipality in said state or to the head of any department of the State of Nevada engaged in the enforcement of any criminal law of this state, or to the head of any federal law enforcement agency, or to any sheriff or chief of police of a municipality, or to the head of any other law-enforcement agency of any state in any state or territory outside of the State of Nevada, when request is made, in writing, by such sheriff or other head of a law-enforcement agency asking for the record of a certain person named therein, or for the record of a person whose photograph or fingerprints reasonably correspond with photographs or fingerprints submitted with such request, and stating that such record is deemed necessary for the use of such law-enforcement officer or agency in or concerning the investigation of any crime, or any person who is accused of committing a crime, or any crime which is reported to have been committed, and further stating that the record will be used only for such purpose.

Nothing contained in section 1 to 7 inclusive, shall prevent the Sheriff of Washoe County from furnishing to the sheriff of any county, the chief of police of

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any municipality, or the head of any other law-enforcement agency which maintains any system of registration of convicted persons, copies of the statements required to be filed under the provisions of sections 1 to 7 inclusive, together with photographs and fingerprints procured by him, and it is hereby made the duty of such sheriff to arrange for the exchange of such information.

[Book "Q", p. 262 (10-20-1947)]

Section 6. False statements.

(a) No person required by any provision of sections 1 to 5 inclusive, to furnish a statement, shall in such statement give any false or fictitious address or any address other than a true address or intended address, or furnish in the making of any such report any false, untrue or misleading information or statement, relating to any information required by any of the provisions thereof to be made or furnished.

(b) The duty to furnish statements when and in the manner provided by sections 1 to 5 inclusive, is hereby declared to be a continuing one, and for each day that any person required under the provisions of sections 1 to 5 inclusive, to furnish a statement fails to do so, such failure shall constitute a separate offense; provided, however, that no person may be convicted more than once on account of violations occurring by reason of failure, on a series of days, to furnish such statements; provided, further, that nothing contained herein shall be deemed a bar to subsequent prosecutions for violations of the provisions of this ordinance occurring subsequent to a prior conviction or acquittal of a violation thereof.

[Book "Q", p. 262 (10-20-1947)]

Section 7. Saving clause. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of County Commissioners hereby declares that it would have passed this ordinance, and each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more other sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional.

[Book "Q", p. 262 (10-20-1947)]

Section 8. Penalty. Any person violating the provisions of this ordinance, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not exceeding \$500 or by imprisonment in the County Jail for a term of not exceeding 6 months, or by both fine and imprisonment.

[Book "Q", p. 262 (10-20-1947)]