UNREPORTED

IN THE COURT OF SPECIAL APPEALS

OF MARYLAND

No. 1445

September Term, 2015

JOHN DOE

v.

STATE OF MARYLAND, ET AL.

Krauser, C.J.,
Woodward,
Reed,

JJ.

Opinion by Woodward, J.

Filed: July 29, 2016

In October 2009, John Doe, appellant, pleaded guilty to three counts of aggravated sexual battery, one count of rape, and one count of forcible sodomy in the Circuit Court of Prince William County, Virginia. Doe committed these offenses in August 2008, when he was seventeen years old. In May 2010, Doe was sentenced to one year for each conviction for a total of five years' incarceration, all suspended, and five years of probation. Doe also was ordered to register as a sex offender in Virginia. After he was sentenced, Doe moved to Maryland, where he was also required to register as a sex offender under the Maryland sex offender registration act ("MSORA").

In September 2014, Doe filed a Complaint for Declaratory Judgment in the Circuit Court for Baltimore City, challenging the State's authority to require him to register as a sex offender. After a bench trial, the court entered judgment in favor of the State.

On appeal to this Court, Doe raises one question for our review, which we have rephrased as follows:

> Did the trial court err in concluding that Doe was convicted of committing sexual offenses in Virginia that require him to register as a sex offender in Maryland?

For reasons set forth herein, we answer this question in the negative and, accordingly, affirm the judgment of the circuit court.

BACKGROUND

On June 30, 2009, five petitions for delinquency were filed in Prince William County, Virginia, against appellant, John Doe (DOB 11/15/1990), charging Doe with three counts of aggravated sexual battery, one count of rape, and one count of forcible sodomy, all occurring in August 2008, when Doe was seventeen years old. The victims were Doe's biological

sisters, who were around thirteen years old at the time. After Doe was found delinquent in the Juvenile and Domestic Relations District Court of Prince William County, he appealed his case to the Circuit Court of Prince William County ("the Virginia Court").

On October 1, 2009, the Virginia Court held a hearing on Doe's appeal. At the hearing, Doe waived his right to a jury trial and pleaded guilty to the five charges. The Virginia Court made a finding of guilt on the five charges, ordered a pre-sentence investigation, and asked Doe to sign a form for the Virginia Sex Offender and Crimes Against Minors Registry, which Doe did. On December 9, 2009, the Virginia Court issued a Conviction and Referral Order, stating that on October 1, 2009, Doe pleaded guilty to three counts of aggravated sexual battery, one count of rape, and one count of forcible sodomy, and that the Virginia Court found the defendant guilty of said counts.

On March 31, 2010, Doe submitted an Application for Interstate Compact Transfer to transfer his probation and registration requirements to Maryland, because he was moving to Maryland. On April 2, 2010, the Virginia Court held a sentencing hearing, but agreed to continue the sentencing until May 20, 2010. On May 7, 2010, the Virginia Court issued a Sentencing Order confirming its actions on April 2, 2010, and placing Doe "on adult probation in the interim."

On May 20, 2010, the Virginia Court held a sentencing hearing and sentenced Doe to one year for each conviction for a total of five years' incarceration, all suspended, and five years of probation. As a special condition of probation, the Virginia Court required that Doe "cooperate with sex offender treatment and any other treatment, mental health or otherwise,

that [Doe's] probation officer feels is appropriate." The Virginia Court also ordered that Doe have no unsupervised contact with his victims; the Virginia Court did not, however, mention the sex offender registry during the sentencing hearing.

On June 14, 2010, the Virginia Court issued a Sentencing Order in which it memorialized the sentence that it had imposed at the May 20, 2010 hearing. The Sentencing Order included a section, titled Sex Offender Registration, which stated:

> Within ten (10) days from the date of sentencing, or within ten (10) days of the defendant's release from incarceration imposed, the defendant shall register with the Department of State Police and shall keep that registration current, all as provided in Section 9.1-903 of the Code of Virginia. Compliance with this provision constitutes a special condition of any probation or suspended sentence.

Upon moving to Maryland in 2010, Doe was required to register as a Tier III sex offender, which carries a lifetime registration requirement.

On September 9, 2014, Doe filed a Complaint for Declaratory Judgment in the Circuit Court for Baltimore City. In his complaint, Doe argued that he should not be required to register on the adult sex offender registry; rather, "he should be registered as a non-public juvenile registrant and should have no further obligation to register when the juvenile court's jurisdiction over him terminates." On January 5, 2015, the State filed its answer.

On July 8, 2015, the State filed a motion for summary judgment. In its motion, the State argued that "two separate provisions of [MSORA] obligate [ ] Doe to register as a sex offender in this State." The first provision cited by the State requires registration of individuals who are convicted of crimes in other states that, if committed in Maryland, would

trigger registration. The second provision cited by the State requires registration in Maryland for individuals obligated to register in another state who then move to Maryland.

On July 30, 2015, Doe filed a response to the State's motion, as well as his own motion for summary judgment. In his motion, Doe argued that he is not required to register, because, as a juvenile at the time that he committed the sexual offenses, he was never "convicted" of such offenses; rather, he was found delinquent. On August 7, 2015, the circuit court denied both parties' motions for summary judgment.

The circuit court held a bench trial on August 27, 2015. After receiving evidence and hearing argument, the court ruled that Doe was convicted by the Virginia Court, and thus declared that Doe was required to register as a Tier III sex offender under MSORA.

On August 28, 2015, Doe filed a notice of appeal. On August 29, 2015, the circuit court issued an order entering a declaratory judgment in favor of the State.

STANDARD OF REVIEW

This Court's review of the declaratory judgment issued by the circuit court is governed by Maryland Rule 8-131(c), which states:

> When an action has been tried without a jury, the appellate court will review the case on both the law and the evidence. It will not set aside the judgment of the trial court on the evidence unless clearly erroneous, and will give due regard to the opportunity of the trial court to judge the credibility of the witnesses.

"When the trial court's [decision] involves an interpretation and application of Maryland statutory and case law, [the appellate court] must determine whether the lower court's conclusions are legally correct." *Hillsmere Shores Improvement Ass'n, Inc. v. Singleton*, 182

Md. App. 667, 690 (2008) (alterations in original) (citations and internal quotation marks omitted).

DISCUSSION

I. Conviction under MSORA

Doe argues that the circuit court erred in concluding that he must register as a Tier III sex offender in Maryland, because he was sentenced as a juvenile in the Virginia Court. Specifically, Doe asserts that the 2007 version of MSORA, which was in effect at the time that he committed the offenses, required registration only for a child sex offender, offender, sexually violent offender, and sexual predator. All of these categories, according to Doe, required that the person be "convicted" of the particular offense, and Doe "was not 'convicted' of a crime but, rather, as made clear by the judge, was found delinquent because he was a juvenile at the time." Doe claims that "it is well-settled law that 'a finding of delinquency in a juvenile court should not be equated in any way with a conviction for crime.'" (Quoting *In re: Alexander*, 16 Md. App. 416, 420 (1972)).

The State responds that the trial court "correctly declared that [ ] Doe's sex offense convictions in Virginia require him to register as a [T]ier III sex offender in Maryland," because his "convictions of rape, forcible sodomy, and aggravated sexual battery are analogous to Maryland crimes that constitute [T]ier III sex offenses under Maryland law," including the version of MSORA that was in effect at the time that Doe committed his crimes. According to the State, Doe was "convicted" under MSORA's definition of that term, because he pleaded guilty to the crimes and was found guilty of such crimes by a

judicial officer. Because, according to the State, the Virginia Court accepted Doe's guilty pleas and sentenced him consistent with Virginia law, Doe was "convicted" and thus is obligated to register as a sex offender under MSORA.

The 2007 version of MSORA[1] sets forth the categories of person subject to registration as follows:

> (a) A person shall register with the person's supervising authority if the person is:
>
> (1) a child sexual offender;
>
> (2) an offender;
>
> (3) **a sexually violent offender**;
>
> (4) a sexually violent predator;
>
> (5) a child sexual offender who, before moving into this State, was required to register in another state or by a federal, military, or Native American tribal court for a crime that occurred before October 1, 1995;
>
> (6) an offender, sexually violent offender, or sexually violent predator who, before moving into this State, was required to register in another state or by a federal, military, or Native American tribal court for a crime that occurred before July 1, 1997; or

[1] All references to the Maryland sex offender registry act ("MSORA") refer to the 2007 version of the statute. Because we are applying the version of MSORA that was in effect at the time Doe committed his offenses in 2008, there is no violation of the constitutional prohibition against *ex post facto* laws. *See generally Doe v. Dep't of Pub. Safety & Corr. Servs.*, 430 Md. 535 (2013).

> (7) a child sexual offender, offender, sexually violent offender, or sexually violent predator who is required to register in another state, who is not a resident of this State, and who enters this State:
>
> (i) to carry on employment;
>
> (ii) to attend a public or private educational institution, including a secondary school, trade or professional institution, or institution of higher education, as a full-time or part-time student; or
>
> (iii) as a transient.

Md. Code (2001, 2007 Cum. Supp.), § 11-704 of the Criminal Procedure Article ("CP") (emphasis added).

"Sexually violent offender" is defined as a person who "has been convicted of a sexually violent offense." CP § 11-701(f)(1). "Sexually violent offense," in turn, is defined as:

> (1) **a violation of §§ 3-303 through 3-307 . . . of the Criminal Law Article**.
>
> (2) assault with intent to commit rape in the first or second degree or a sexual offense in the first or second degree as prohibited on or before September 30, 1996, under former Article 27, § 12 of the Code; or
>
> (3) **a crime committed in another state** or in a federal, military, or Native American tribal jurisdiction **that, if committed in this State, would constitute one of the crimes listed in item (1)** or (2) of this subsection.

CP § 11-701(g) (emphasis added).

Doe concedes that, if he was "convicted" of rape, forcible sodomy, and aggravated sexual battery, he falls within the sexually violent offender category under MSORA. As a sexually violent offender, Doe would be required to register under CP § 11-704(a)(3), and such registration would be for life under CP § 11-707(a)(2)(i), (a)(4)(ii)(2).

MSORA defines "conviction" as follows:

> For the purposes of this subtitle, **a person is convicted when the person**:
>
> (1) **is found guilty of a crime by a jury or judicial officer**;
>
> (2) **enters a plea of guilty** or nolo contendere;
>
> (3) is granted probation before judgment after a finding of guilt for a crime if the court, as a condition of probation, orders compliance with the requirements of this subtitle; **or**
>
> (4) is found not criminally responsible for a crime.

CP § 11-702 (emphasis added).

In the case *sub judice*, the following occurred at Doe's plea hearing on October 1, 2009, before the Virginia Court:

> THE COURT: Okay. Okay. . . . I'm going to read each charge to you. And I'll just ask you how you plead at the end of each charge. 09000076-00, I have a petition which alleges that between August 1st and August 31st of 2008, in Prince William County, Virginia, you did unlawfully and feloniously sexually abuse your biological sister against such person's will through the use of mental incapacity or physical helplessness, in

violation of Section 18.2-67.3(A)2 of the Code of Virginia. **Are you guilty or not guilty?**

[DOE]: **Guilty.**

THE COURT: 09–and that is also known as 061123-02-00. In 09000077-00, also known as JU61228-03-00, I have a petition which alleges that between the dates of August 1st, '08, and August 31, '08, in Prince William County, Virginia, you did unlawfully and feloniously sexually abuse your biological sister against such person's will through the use of her mental incapacity or physical helplessness, in violation of Section 18.2-67.3(A)2 of the Code of Virginia. **Are you guilty or not guilty?**

[DOE]: **Guilty.**

THE COURT: Criminal Number 09000078-00, also known as JO61128-04-00, alleges that between the dates of August 1st and August 31st of 2008, in Prince William County, Virginia, you did unlawfully and feloniously sexually abuse your biological sister, a child under the age of 13, in violation of Section 18.2-67.3 of the Code of Virginia. **And are you guilty or not guilty?**

[DOE]: **Guilty.**

THE COURT: Criminal Number 09000079-00, also known as JO61128-05-00, the Petition which alleges that between the dates of August 1st and August 31st, in Prince William County, Virginia, you did unlawfully and feloniously have sexual intercourse with your biological sister, age 13, against her will by force, threat, or intimidation, in violation of Code Section 18.2-61 of the Code of Virginia. **And the plea on that charge?**

[DOE]: **That's also guilty.**

THE COURT: Okay. And then, finally, Criminal Number 09000080-00, also known as JO61128-06-00, alleges that between the dates of August 1st and August 31st, 2008, in Prince William County, Virginia, you did unlawfully and feloniously engage in sodomy with your biological sister, a child less than 13 years of age, in violation of Section 18.2-67.1 of the Code of Virginia, as amended. **And are you guilty or not guilty?**

[DOE]: **Guilty.**

THE COURT: **Okay. The Court is going to accept the pleas of guilty.**

***

THE COURT: **And I will make a finding of guilt on the charges to which you pled guilty.**

(Emphasis added).

Doe's "*Conviction* and Referral Order," (emphasis added), which memorialized the October 1, 2009 plea hearing, states in pertinent part:

> **Plea of Guilty. The defendant** was arraigned as charged in the indictments and, after private consultation with said counsel, **pleaded guilty to the charges, which pleas were tendered by the defendant in person. The Court,** having made inquiry and being of the opinion that the defendant fully understood the nature and effect of the pleas, of the penalties that may be imposed upon conviction, of the waiver of trial by jury and of the right to appeal, and **having determined that the pleas of guilty were given voluntarily, proceeded to hear and determine the cases without the intervention of a jury.**
>
> ***
>
> **Guilty. The Court**, having heard the evidence and argument of counsel, **finds the defendant guilty of three counts of Aggravated**

> **Sexual Battery, one count of Rape, and one count of Forcible Sodomy, as charged. [E. 20]**

(Emphasis added).

Doe's two Sentencing Orders, dated May 7, 2010 and June 14, 2010, both state the following:

> On October 1, 2009, **the defendant was found guilty of the following:**

CASE NUMBER	OFFENSE DESCRIPTION AND INDICATOR (F/M)	OFFENSE DATE	CODE SECTION
[ ]	AGGRAVATED SEXUAL BATTERY (**Felony**)	08/01/2008	18.2-67.3
[ ]	AGGRAVATED SEXUAL BATTERY (**Felony**)	08/01/2008	18.2-67.3
[ ]	AGGRAVATED SEXUAL BATTERY (**Felony**)	08/01/2008	18.2-67.3
[ ]	RAPE (**Felony**)	08/01/2008	18.2-61
[ ]	FORCIBLE SODOMY (**Felony**)	08/01/2008	18.2-67.1

(Emphasis added).

The plain language of the colloquy at the plea hearing, as well as Doe's Conviction and Referral Order and Sentencing Orders, make clear that Doe pleaded guilty to the subject crimes, and that the Virginia Court found Doe guilty of those crimes. As stated above, a person is "convicted" for purposes of MSORA when that person "is found guilty of a crime by a . . . judicial officer," *or* when that person "enters a plea of guilty." CP § 11-702(1), (2). The words "delinquent" and "juvenile" do not appear in any of the Conviction and Referral or Sentencing Orders. Under the plain meaning of the words of MSORA, Doe was "convicted." *See* CP § 11-702. Accordingly, Doe is a sexually violent offender and thus is required to register under MSORA. *See* CP § 11-704(a)(3).

Nevertheless, Doe argues that the Virginia Court had derivative jurisdiction from the juvenile court and that, by Virginia law, the circuit court was adjudicating him delinquent. Doe is correct that, pursuant to statute, "[i]n all cases on appeal [from the juvenile court], the circuit court in the disposition of such cases shall have all the powers and authority granted . . . to the juvenile and domestic relations district court." Va. Code Ann. § 16.1-296(I) (2008).[2] The circuit court, however, had the authority to sentence Doe as an adult because Doe was then an adult, so long as the punishment did not "exceed the punishment for a Class 1 misdemeanor for a single offense or multiple offenses." Va. Code Ann. § 16.1-284. The punishment for a Class 1 misdemeanor is "confinement in jail for not more than twelve months and a fine of not more than $2,500, either or both." Va. Code Ann. § 18.2-11(a). In other words, Virginia law authorized the circuit court to sentence as an adult a person who was a juvenile at the time of the commission of the offense but was an adult at the time of sentencing, so long as that person did not receive a sentence of more than twelve months of incarceration for each conviction. *See* Va. Code Ann. §§ 16.1-284, 18.2-11.

[2] We are using the 2008 version of the Virginia Code because the 2008 version was in effect at the time Doe committed his offenses in August 2008. *See* Va. Const. art. IV, § 13 ("All laws enacted at a regular session, including laws which are enacted by reason of actions taken during the reconvened session following a regular session, but excluding a general appropriation law, shall take effect on the first day of July following the adjournment of the session of the General Assembly at which it has been enacted . . . .").

Therefore, the Virginia Court had the authority, even under the derivative jurisdiction of the juvenile court, to sentence Doe as an adult.[3]

Doe cites to *In re: Alexander*, 16 Md. App. 416, 420 (1972) for the proposition that "a finding of delinquency in a juvenile court should not be equated in any way with a conviction for crime." The full sentence from that case is: "We hold that it was the plain legislative intent that a finding of delinquency in a juvenile court should not be equated in any way with a conviction for crime." *Id*. The legislative intent to which this Court was referring concerns Article 26, § 70-21, which was recodified as § 3-8A-23 of the Courts and Judicial Proceedings Article. *See* Md. Code (2006, 2013 Repl. Vol.), § 3-8A-23 of the Courts and Judicial Proceedings Article ("CJP"). That provision states that "*[a]n adjudication of a child pursuant to this subtitle* is not a criminal conviction for any purpose and does not impose any of the civil disabilities ordinarily imposed by a criminal conviction." CJP § 3-8A-23(a)(1) (emphasis added). If Doe had committed his crimes in Maryland and

[3] Doe relies on *Addison v. Salyer*, 40 S.E.2d 260, 264 (Va. 1946), for "'[t]he general rule is that jurisdiction of the circuit . . . courts to try cases appealed from a decision of a trial justice is derivative . . . —that is, the jurisdiction of the appellate court in such matters is the same as that of the court in which the action was originally instituted.'" (Ellipses provided by Doe). Doe's reliance on *Addison* is misplaced. Doe left out a key phrase from his statement of "the general rule": "if the trial justice had no jurisdiction to issue the warrant, the appellate court acquired no jurisdiction by an appeal." *Id*. In *Addison*, the Supreme Court of Virginia held that the circuit court, on a *de novo* appeal from the trial justice court, had no jurisdiction to try a case involving title to real property where the trial justice court had no jurisdiction under the statute to try such cases. *Id*. at 262-63. Here, there is no question as to the Virginia Court's jurisdiction on appeal to adjudicate the charges against Doe and sentence him upon convictions thereof. Moreover, as stated above, the Virginia Court is expressly authorized by statute to sentence Doe as an adult. *See* Va. Code Ann. §§ 16.1-284; 16.1-296(I).

had been adjudicated delinquent by a Maryland juvenile court, such language would have clearly applied to him, and Doe would not have been "convicted" for purposes of MSORA. Doe, however, committed his crimes in Virginia, pleaded guilty to those crimes in a Virginia circuit court, and was found guilty by that court. Because Doe was not adjudicated in Maryland pursuant to the Courts and Judicial Proceedings Article, the language in CJP § 3-8A-23 does not prevent Doe from being "convicted" for purposes of MSORA.

Finally, Doe relies on the statements of the Virginia Court and the attorneys at the beginning of the plea hearing on October 1, 2009, in an effort to show that the proceeding was an adjudication of Doe as a juvenile. Those statements are as follows:

THE COURT:	**These are appeals of Juvenile convictions; is that correct?**
[DOE'S ATTORNEY]:	**Yes, ma'am.**
THE COURT:	**Okay. I was trying to figure the age but—apparently as [Doe] is now an adult, but at the time of the offense he was 17; is that right?**
[DOE'S ATTORNEY]:	**That's right.**
THE COURT:	[Doe], you may stand, sir.
[DOE]:	(Complied with the request.)
THE COURT:	**[Doe], these charges are on appeal from Juvenile Court**, and you do have the right to have trial by jury. Is it your desire to waive that jury trial and have the Court hear the case?

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[DOE]:	Your Honor, I'd like to proceed on the plea.
THE COURT:	Okay. You don't want to have a jury then?
[DOE]:	No.
THE COURT:	Okay. [Doe's attorney], did you have a form or a waiver of jury? What did you—
[DOE'S ATTORNEY]:	Yes, ma'am. We have a form we filled out for these charges.
THE COURT:	Oh, great. Okay. Let me take that. I know some—
[DOE'S ATTORNEY]:	**I wasn't sure how to put—I talked to [Doe] about the unusual circumstances surrounding the way this is done procedurally, but I thought it best to do a formal (inaudible).**
THE COURT:	**Was he certified as an adult?**
[DOE'S ATTORNEY]:	**No, ma'am.**
THE COURT:	Okay. **So this was a straight—okay. With it being an appeal of a Juvenile conviction it's really a finding of delinquency, as opposed to a felony.** So what I will do, rather than—I think—I appreciate so much your doing this, [Doe's attorney].
[DOE'S ATTORNEY]:	Yes, Your Honor.
THE COURT:	Under most circumstances I would say great, but **because it's an appeal of a**

	Juvenile conviction it's—it is—I guess it's a felony Juvenile—
[PROSECUTOR]:	**This is a finding of not innocent of a crime that would have been a felony if he'd been an adult—**
THE COURT:	Uh-huh, yes.
[PROSECUTOR]:	**—is how we phrase it.**
THE COURT:	You know what? I'm going **to—because he was a juvenile at the time of the offense I'm going to just take it out—plea to the charge—rather than submit a plea form, because there may be some—otherwise there might be some confusion. And it could result in a felony conviction. The felony conviction is on his adult record—**
[DOE'S ATTORNEY]:	Right.
THE COURT:	—if that makes sense. Okay. Okay.

(Emphasis added).

The above language is ambiguous, as well as confusing. We believe, however, that the Virginia Court and the attorneys were, for the most part, referring to the proceedings in the juvenile court. Because the Virginia Court was proceeding *de novo*, *see Austin v. Commonwealth*, 590 S.E.2d 68, 71 (Va. Ct. App. 2003), *aff'd*, 604 S.E.2d 430 (Va. 2004), any such reference to how the case was characterized in juvenile court is irrelevant. Even if the Virginia Court and the parties were referring to the appeal proceeding, however, Doe very clearly pleaded guilty to each offense, the Virginia Court found Doe guilty of each

offense, the Virginia Court sentenced Doe as an adult, and all of the orders issued by the Virginia Court reflected the same. Indeed, in each Sentencing Order, the Virginia Court stated that Doe was "found guilty" of five crimes, each of which was denominated as a "Felony." *Compare with Hailey v. Dorsey*, 580 F.2d 112, 113 (1978) (noting that the Virginia circuit court, on appeal, "also found the defendant 'not innocent'"), *cert. denied*, 440 U.S. 937 (1979).[4]

In sum, because Doe, now a Maryland resident, was "convicted" in Virginia of offenses that constituted "sexually violent offenses" in Maryland, he meets the definition of a "sexually violent offender" under the version of MSORA in effect at the time that Doe committed his offenses. As a result, he is required to register under MSORA.[5]

II. Length of Registration Requirement

Next, Doe argues that he was only ordered to register on the Virginia sex offender registry "as a special condition of his probation," and thus this condition ended on May 20, 2015, when his probation ended. Alternatively, Doe contends that, if the current MSORA applies to Doe (which he argues that it does not), he should have been placed on the juvenile registry until he turned twenty-one, at which point the juvenile court's jurisdiction over him terminated.

[4] In addition, apart from his own testimony, Doe never submitted any evidence to the trial court at trial that his convictions in Virginia were not felony convictions.

[5] Because Doe is required to register in Maryland due to his status as a sexually violent offender, we need not consider whether Doe is also required to register in Maryland due to his obligation to register as a sex offender in Virginia.

The State disputes Doe's assertion that his obligation to register as a sex offender would have expired when his probation concluded. Instead, according to the State, the fact that Doe's registration was a special condition of his probation meant only that any failure to register was both a violation of Doe's probation and a violation of the Virginia sex offender registration statute. The State asserts that Doe was sentenced as an adult, and thus Virginia law required Doe to register as a sex offender for life in Virginia.

Virginia law requires those convicted of "any sexually violent offense" to register for life. Va. Code Ann. §§ 9.1-902, -908. "Sexually violent offense[s]" include rape, forcible sodomy, and aggravated sexual battery. Va. Code Ann. §§ 9.1-902, 18.2-61, -67.1, -67.3. Thus, under Virginia law, Doe would have been required to register for life if he had remained a resident of Virginia, a point that Doe concedes. Under MSORA, a sexually violent offender, like Doe, also must register for life. CP § 11-707(a)(2)(i), (a)(4)(ii). Thus for Doe, MSORA's requirement of lifetime registration is no different than Virginia's lifetime registration requirement.

Because the Virginia Court was obligated under Virginia law to order Doe to register for life, Doe's argument that the order was only "a special condition of his probation," and thus ended when his probation terminated, is essentially beside the point. We agree with the State that the fact that Doe's registration was a special condition of his probation meant only that a failure to register was a violation of Doe's probation as well as a violation of the Virginia sex offender registration statute.

Finally, the version of MSORA that was in effect at the time that Doe committed his crimes did not contain a juvenile sex offender registry.[6] As a result, we need not consider whether Doe was subject to placement on the Maryland juvenile sex offender registry.

JUDGMENT OF THE CIRCUIT COURT FOR BALTIMORE CITY AFFIRMED; APPELLANT TO PAY COSTS.

[6] The separate and confidential registry for juvenile sex offenders who are still under the jurisdiction of the juvenile court did not come into existence until the 2010 amendments to MSORA. *See* Md. Code (2001, 2008 Repl. Vol., 2010 Cum. Supp.), § 11-704.1 of the Criminal Procedure Article.