

## Registered Offender Information

### 354.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Vancouver Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

### 354.2 POLICY

It is the policy of the Vancouver Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

### 354.3 REGISTRATION

In the State of Washington the respective county Sheriff is the agency responsible for sex offender and kidnap offender registration. All offenders residing in Clark County, regardless of the geographic subdivision in which they reside must report to the Sheriff for registration. The designated authority is the Clark County Sheriff's Office Sex Offender Monitoring Unit.

Upon conclusion of the registration process, the Clark County Sheriff's Office shall ensure that the registration information is provided to the Washington State Patrol (WSP) within five working days in accordance with RCW 43.43.540. The Washington Association of Sheriffs and Police Chiefs (WASPC) shall be provided any requested information for the administration of the Sex Offender Information website (RCW 4.24.550).

A criminal investigation for failure to register will be initiated if a registrant refuses to provide any of the required information or complete the process. The agency of jurisdiction will conduct the investigation.

#### 354.3.1 CONTENTS OF REGISTRATION FOR SEX OR KIDNAPPING OFFENDERS

Sex or kidnapping offenders who are required to register must appear in person and provide the following (RCW 9A.44.130):

- Name
- Complete residential address or where he/she plans to stay
- Date and place of birth
- Place of employment
- Crime for which the person has been convicted
- Date and place of conviction
- Aliases
- Social Security number

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- Biological sample if one has not already been submitted to the WSP (RCW 43.43.754).

Offenders lacking a fixed residence must keep an accurate accounting of where he/she stays during the week and provide it to the county sheriff upon request.

The registering member shall take photographs and fingerprints of all sex/kidnapping offenders.

### **354.4 MONITORING OF REGISTERED OFFENDERS**

The Clark County Sheriff's Office has established a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include, as applicable:

- (a) Efforts to confirm residence using an unobtrusive method, such as an Internet search, drive-by of the declared residence or address verification under RCW 9A.44.135.
- (a) When notice is received that a sex offender is moving outside the jurisdiction of the Vancouver Police Department, the Digital Evidence Cybercrime Unit (DECU) supervisor is responsible for address verification until the registrant completes registration with a new residential address (RCW 9A.44.130(5)).
- (b) Review of information on the WASPC Sex Offender Information website.
- (c) Contact with a registrant's community correction officer.

Any discrepancies with sex/kidnapping offenders should be reported to ACCESS (A Central Computerized Enforcement Service System), which is administered by WSP, and, in the case of sex offenders only, to WASPC.

The Clark County Sheriff's Office has established a procedure to routinely disseminate information regarding registered offenders to Vancouver Police Department personnel, including timely updates regarding new or relocated registrants.

The Vancouver Police Department shall be responsible for verifying the registration of sex/kidnapping offenders within their jurisdiction.

#### **354.4.1 OFFENDERS TRAVELING OUT OF THE COUNTRY**

When written notice is received from a registrant who intends to travel outside of the United States, the Clark County Sheriff's Office shall notify the United States Marshals Service as soon as practicable after receipt of notification and also of any further notice of changes or cancellation of travel plans (RCW 9A.44.130(3)).

### **354.5 DISSEMINATION OF PUBLIC INFORMATION**

Vancouver Police members will not unilaterally make a public notification advising the community of a particular sex/kidnapping registrant's presence in the community. Police employees who identify a significant risk or other public safety issue associated with a sex/kidnapping registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

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Members of the public requesting information on sex/kidnapping registrants should be provided the WASPC Sex Offender Information website or the Vancouver Police Department's website.

The Records Supervisor shall release local sex/kidnapping registered offender information to residents in accordance with RCW 4.24.550 and in compliance with a request under the Public Records Act (RCW 42.56.001 et seq.).

### 354.5.1 RELEASE NOTIFICATIONS FOR SEX OR KIDNAPPING OFFENDERS

The Clark County Sheriff's Office is responsible for making release notifications and may ask for Departmental input (e.g., recommendations regarding the radius of notifications from the offender's address). Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws.
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.
- (f) The Vancouver Police Department has no authority to direct where an offender may live.

### 354.5.2 MANDATORY NOTIFICATION

The Clark County Sheriff's Office shall ensure that:

- (a) A public notification is made for sex offenders who are classified as Risk Level III and who register in the County. The notice shall conform to the guidelines established in RCW 4.24.5501.
- (b) All information on sex/kidnapping offenders registered in the County is regularly updated and posted on the WASPC Sex Offender Information website (RCW 4.24.550(5)).
- (c) The Vancouver Police Department is not responsible for public notifications under this subsection.

### 354.5.3 DISCRETIONARY DISSEMINATION FOR SEX OFFENDERS

Dissemination should be predicated upon the levels detailed below (RCW 4.24.550(3)):

- (a) Offenders classified as Risk Level I: The Clark County Sheriff's Office may disclose, upon request, relevant, necessary and accurate information to any victim or witness to the offense and to any individual community member who lives near the residence where the sex offender resides, expects to reside or is regularly found, and to any individual who requests information regarding a specific offender.
- (b) Offenders classified as Risk Level II: In addition to the dissemination for Level I, the Clark County Sheriff's Office may also disclose relevant, necessary and accurate

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information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the sex offender resides, expects to reside or is regularly found.

- (c) Offenders classified as Risk Level III: In addition to the dissemination of Level I and Level II, the Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to the public at large.
- (d) Homeless and transient sex offenders may present unique risks to the community due to the impracticality of localized notification. The Clark County Sheriff's Office may also disclose relevant, necessary and accurate information to the public at large for sex offenders registered as homeless or transient.

The Vancouver Police Department may, at its discretion, inform members of the community of the status of a registered offender when it is necessary to verify the reported address of an offender or in the course of an investigation for failure to register as a sex/kidnapping offender. Such notifications may be made with consideration of the above detailed risk levels.

### **354.5.4 SCHOOL NOTIFICATIONS**

The Clark County Sheriff's Office has the responsibility of notifying the applicable school's principal or public safety department of any sex/kidnapping offender who attends or is employed at the school and for providing the following information about the offender (RCW 9A.44.138):

- Name
- Complete residential address
- Date and place of birth
- Place of employment
- Crime for which the person have been convicted
- Date and place of conviction
- Aliases
- Social Security number
- Photograph
- Risk level classification

The Vancouver Police Department shall notify the Clark County Sheriff's Office when it obtains information that a registered sex/kidnapping offender has begun employment with a school.

### **354.6 SEX OFFENDER RISK ASSESSMENT**

The Clark County Sheriff's Office shall establish a procedure to review and assign an initial risk level classification of sex/kidnapping offenders who have moved or are released into this jurisdiction and the risk assessment level has not already been assigned by the Washington Department of Corrections. The Vancouver Police Department shall participate in the Clark County

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Sheriff's Office sex/kidnapping offender risk assessment committee. That procedure shall address (RCW 4.24.550(6)):

- The circumstances under which the Clark County Sheriff's Office is authorized to assign its own risk level.
- Risk level classification criteria.
- What risk assessment tools may be used and how such tools are scored.
- Assessment of known aggravating or mitigating factors related to the risk posed by the offender to the community.
- Notification process following a change in the risk level classification.
- The process for an offender to petition for review of the risk level classification.