

**BOULDER COUNTY SHERIFF'S OFFICE
POLICY AND PROCEDURES MANUAL**

SUBJECT: Sex Offender Registration Program

NUMBER: 532

EFFECTIVE DATE: February 21, 2017

SUPERSEDES: [New Policy]

POLICY:

It is the policy of the Boulder County Sheriff's Office to ensure all sex offenders residing in unincorporated Boulder County, or within a municipality where the Sheriff's Office is the primary law enforcement response agency, and in-custody inmates of the Boulder County Jail, are registered and monitored in accordance with state law.

DEFINITIONS:

Community Notification: Formal notification to the community of a sexually violent predator (SVP) that has registered with the Sheriff's Office. Community notification may include, but is not limited to, a media release, posting an informational bulletin or banner on the Sheriff's Office's public website, or hosting a community meeting advertised to the public.

Home Check: An in-person verification of a registrant's physical home address by a deputy.

Registration Law Enforcement Technician (RLET): The technician within the Records Section assigned to register sexual offenders and manage the related sex offender records.

Sex Offender Registration File: A file containing a registrant's registration and other required information and forms.

SOTAR: The Colorado Sex Offender Tracking and Registration (SOTAR) regional database managed by the Douglas County (Colo.) Sheriff's Office, used by numerous Colorado law enforcement agencies to register, track, and transfer offender registrations from one jurisdiction to another.

RELATED POLICIES:

OP206 – SVP Community Notification (Operations Division)

R410 – Sex Offender Registration Procedures (Support Services Division)

PROCEDURE:

I. Applicable Law

- A. Title 16, Article 22, of the Colorado Revised Statutes is known as the *Colorado Sex Offender Registration Act*. The Sheriff's Office manages the sex offender registration program within the scope of this Article.

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1. The Sheriff's Office adopts all statutory definitions in C.R.S. § 16-22-102, for purposes of this policy and for any other departmental purpose, communications, training, or directives related to the sex offender registration program.

II. Registration Requirements

- A. The registrant is required to complete all forms prescribed and required by the Colorado Bureau of Investigation (CBI) pursuant to C.R.S. § 16-22-109. An offender registration is not complete unless all required forms are properly completed and signed.
 1. Juvenile registrants shall have a parent or guardian present at the registration appointment. The parent/guardian is required to sign and date the CBI '*Colorado Sex Offender Registration*' and the '*Notice to Register as a Sex Offender*' forms.
- B. Each registrant shall be fingerprinted and have their photograph taken during the registration or re-registration process.
 1. The offender must re-register within five business days of their birthday (or the corresponding day of the month, if required to re-register quarterly), or upon a significant change of their appearance. The re-registration frequency is determined by the offender's conviction record(s).
- C. The following queries and systems are to be checked, at a minimum, for each registrant, with a copy of the query returns being placed in the Sex Offender Registration File:
 1. CCIC / NCIC systems for warrants, criminal history, vehicle registrations, and active protection orders.
 2. Court case history for both in-state and out-of-state.
 3. Probation or parole information, including the contact information of their supervising officer.
 4. Department of Corrections (DOC) records.
- D. The offender's registration information will be entered into CCIC, which will include the offender's personal identifying information, driver's license number, and vehicle information.

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1. The following statement should be entered in the miscellaneous (MISC/) field: *"SOR to notify ORI of any official contact // [term] registration required // convicted of [offense(s)] // supervision contact is [name and phone number of parole/probation supervisor] // [any protection orders in place] // [incarceration location, if applicable]"*.

III. Registration Process

A. Out-of-custody offenders

1. A sexual offender required to register with the Sheriff's Office shall contact the RLET assigned to the sex offender registration program in the Records Section to schedule an appointment to register or re-register.
2. The sexual offender registration process will be completed within three days of their registration appointment, including all system entries.
 - a. The registration of a sexually violent predator (SVP) shall be completed the same day they appear to register.
3. Sexual offenders are subject to the sex offender registration fee listed in the *Records Schedule of Fees*. Payment of all associated fees, unless waived for cause, is required before the registration is deemed to be complete.
 - a. It is the responsibility of a Records Section supervisor or manager to determine if a registrant shall be deemed indigent and have registration fees waived.

B. In-custody offenders

1. Booking staff query all arrestees through CCIC/NCIC as part of the booking process. If a record is located requiring an inmate to register or re-register, an entry is made requesting the Jail Classifications Unit complete the registration within five days of incarceration, if the registrant remains in-custody.
2. If an offender has been arrested on a charge of failure to register as a sexual offender, or has been designated as a sexually violent predator (SVP), the attending Booking deputy shall complete the registration at the time of booking.

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3. If an offender is in-custody, or is remanded into custody by the Courts, and receives a sentence requiring sex offender registration, the attending Transports Unit deputy is responsible to initiate the registration process.
4. The deputy or unit completing the sex offender registration process is responsible to ensure all registration records are sent to the RLET as soon as the registration is complete.
5. In-custody offenders sentenced to Work Release shall be considered out-of-custody for purposes of the sex offender registration process; however, they will not be charged the sex offender registration fee.
6. In-custody offenders shall not be charged any sex offender registration fees.

C. Failure to Comply

1. Failure to cooperate and complete in all elements of the registration process shall be deemed a failure to register and may subject the offender to additional criminal charges.

IV. RLET Responsibilities

- A. The RLET is responsible for tracking compliance, maintaining, and managing all sex offender registrations for the Sheriff's Office, including sexual offender registration files, and the maintenance of the Sheriff's Office's electronic records placed in the SOTAR system.
 1. All sex offender registrations will be filed and managed under a case report number for tracking in the Sheriff's Office report writing system.
- B. The RLET is responsible to ensure that each Sex Offender Registration File contains all of the response records for each required search and that all appropriate systems entries have been made. If a required search or entry was not completed during the registration process, the RLET will ensure it is completed before the offender file is completed and filed.
- C. The RLET is responsible for notifying the Operations Division supervisor(s) designated by the Operations Division Chief of offender address verification checks that need to be conducted.

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1. Deputies shall, as soon as possible following the initial registration, verify the residential address the offender registered at, and periodically thereafter.

a. Sexually violent predators (SVP) shall have their residential address verified at least quarterly, while all other offenders shall have their residential address verified at least annually, as required by C.R.S. § 16-22-109(3.5)(a).

D. The RLET is responsible to notify the Operations Division detective supervisors and the detective assigned to sex offender cases of any law violation they become aware of, including failure to register as required, so that a criminal investigation can be commenced. This notification should occur promptly once a violation is identified.

E. The RLET is responsible to notify the Operations Division detective supervisors of the registration of a sexually violent predator (SVP), or on the date when notification is received from the Colorado Department of Corrections (DOC) that an SVP is being released into the jurisdiction of the Sheriff's Office.

1. The RLET is responsible to compile a community notification bulletin with SVP registration information that can be publically released.

a. After the bulletin is approved by a detective supervisor or command-level officer, the RLET will coordinate with the Sheriff's Computer Support Group (SCS) and Public Information Unit to distribute and post the bulletin on the sheriff's website and public information listserv.

V. Community Notification

A. Upon notification of the registration, or pending release of a sexually violent predator (SVP) in the Sheriff's Office's jurisdiction, the Sheriff's Office will provide the statutorily-required community notification of the offender's registration.

1. Community notification shall include:

a. An alert bannered notice being placed on the sheriff's homepage of its public website indicating a SVP has been registered within the Sheriff's Office's jurisdiction with a link to the media release or public information document. The

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notification banner will be placed on the website for a minimum of 14 days.

- b. A media release or other public information document providing publically-releasable information about the offender's registration, residence, and a copy of their registration photograph.

2. Community notification may include:

- a. Notification through the Sheriff's Office's social media platforms.
- b. A community or public meeting.

- 1) It is the responsibility of the Operations Division Chief, or his designee, upon being notified of an SVP registration or impending release from DOC and registration, to determine whether a community meeting needs to be held or not based upon the specific circumstances and the offender's residence.

VI. De-registration

- A. When an offender moves outside the jurisdiction of the Sheriff's Office and de-registers, the new jurisdiction to where the offender moves is notified by the RLET of the offender's move, their new address, and the effective date they were de-registered by the Sheriff's Office.

- 1. If the offender moves outside of the State of Colorado, the RLET is responsible to notify CBI of the registration cancellation due to an out-of-state move, and the CBI assumes responsible to notify the state to which the offender moves (C.R.S. § 16-22-108(4)(a)(II)).

- B. Once an offender has moved outside the primary jurisdiction of the Sheriff's Office, is no longer required to register by law or court order, or is deceased, their corresponding Sex Offender Registration File is archived by the Records Section and is managed according to the related records retention schedule.

By Order of the Sheriff,

Joseph K. Pelle

Date