

356 REGISTERED SEX OFFENDER INFORMATION

356.1 PURPOSE AND SCOPE

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

356.2 POLICY

It is the policy of the Mountlake Terrace 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.

356.3 MONITORING OF REGISTERED OFFENDERS

The Investigations Division supervisor should establish 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.
 1. When notice is received that a sex offender is moving outside the jurisdiction of the Mountlake Terrace Police Department, the Investigations Division 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.
- d. Review any available Washington State database of felony firearm offenders.

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 Investigations Division supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Mountlake Terrace Police Department personnel, including timely updates regarding new or relocated registrants.

356.3.1 OFFENDERS TRAVELING OUT OF THE COUNTRY

When written notice is received from a registrant who intends to travel outside of the United States, the Sheriff 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)).

356.4 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular sex/kidnapping registrant's presence in the community. Members 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.

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

The Special Services Sergeant 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.).

Information pertaining to felony firearm offenders should not be disseminated to the public. All inquiries should be referred to WSP.

356.4.1 RELEASE NOTIFICATIONS FOR SEX OR KIDNAPPING OFFENDERS

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 Mountlake Terrace Police Department has no authority to direct where an offender may live.

356.4.2 MANDATORY NOTIFICATION

The Investigation Division Commander 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)).

356.4.3 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 [DepartmentOffice] 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 [DepartmentOffice] may also disclose relevant, necessary and accurate 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 [DepartmentOffice] 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 [DepartmentOffice] may also disclose relevant,

necessary and accurate information to the public at large for sex offenders registered as homeless or transient.

356.4.4 SCHOOL NOTIFICATIONS

The Sheriff has the responsibility of notifying the appropriate person at a school or other educational institution as set forth in RCW 9A.44.138 of any sex/kidnapping offender who attends or is employed at there, and for providing the following information about the offender:

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

356.5 SEX OFFENDER RISK ASSESSMENT

The Investigation Division Commander shall establish a procedure to review and assign an initial risk level classification of sex 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. That procedure shall address (RCW 4.24.550(6)):

- The circumstances under which the Mountlake Terrace Police Department 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.