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42.7 Sexual Offender Notification and Tracking Program

It *shall* be the policy of the *Department* to operate an on-going program of community notifications and the tracking of registered sex offenders residing in the *Town of Paradise Valley* as mandated by Arizona State law. The program consists of procedures which include a complete background investigation of the offender, *classifying the offender*, making the appropriate community notifications, tracking offenders, as well as coordinating with and assisting other criminal justice agencies as necessary.

A. Authority

The program is governed by A. R. S. § 13-3825 and provisions of the *Community Protection Act of 1996*. Final authority and responsibility for the program *shall* be with the *Chief* and delegated to the *CIU*.

B. Initial Notification

1. When a released sex offender moves into the *Town*, a notification *will* be received in Dispatch from the *Maricopa County Sheriff's Office* advising of the address of a sex offender required to register and the need for community notification.
2. Upon receiving notification of a registered sex offender from the *Maricopa County Sheriff's Office*, Dispatch *will* immediately forward the information to the Support Services Commander.
3. The Support Services Commander *will* immediately forward the notification to the *CIU supervisor* who *will* assign the matter to a detective, to implement the community notification process. All community notifications *must* be made within 45 days after receiving the initial notification.

C. Detective Responsibilities

1. Upon receiving notification from the *Maricopa County Sheriff's Office* the *CIU Supervisor* *will* assign a detective who *will* open a file and prepare a checklist for the offender.



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2. The detective *will* complete a criminal history background check and review the material for any *reports* deemed necessary for the *offender notification level*, including:
 - a. Originating agency reports and supplements.
 - b. Pre-sentence reports from the *Arizona Department of Corrections*.
 - c. Probation reports.
 - d. Psychological reports as appropriate.
 - e. Institutional reports as appropriate.
 - f. Prosecutor files as appropriate.
 - g. Any other reports or documentation deemed relevant.
3. The detective *will* request and obtain any of these additional reports from outside agencies deemed relevant to the *sex offender's classification*.
4. If possible, the detective *shall* informally interview the sex offender at the police station. At the time of such interview, he *should* attempt to do the following:
 - a. Video record the interview, with the recording maintained in the offender's file. (Under no circumstances *will* the recording be given to any outside agency).
 - b. Have the offender sign an acknowledgment that he/she falls under the provisions of the *Community Protection Act*.
 - c. Photograph the offender. The photographs *will* be maintained in the offender's file.
5. The detective, based on the *risk assessment*, investigative information and interview, *will* then recommend *classifying the offender* into a Level 1, 2 or 3 notification.

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- a. The score on the *risk assessment* screening profile provides only a recommended *risk level* for notification purposes.
- b. All available resources *will* be used to place the offender in the *risk level* he feels best reflects the offender's risk to the community.
 - 1) **LEVEL 1:** Low risk to the community, usually a score of 14 or below on the *risk assessment* profile. A file about the offender *will* be maintained by the assigned detective. This information, as well as a photograph, *may* be disseminated to other appropriate law enforcement agencies. The immediate household into which the offender is moving *may* be advised of the offender's background and notification status.
 - 2) **LEVEL 2:** Intermediate risk to community, usually a score between 15 to 39 on the assessment profile. *Level 1* notification is made. Notification *may* then be made to immediate neighbors, schools, appropriate community groups and prospective employers. *Level 2* notifications *may* be made in person or by flyer. The flyer *shall* consist of a photograph and location of the general area of where the offender *will* be residing as well as a brief general summary of the offender's status and criminal background.
 - 3) **LEVEL 3:** Highest risk to community, usually a score of 40 or above on the assessment profile. *Level 1* and 2 notification is made, as well as notification to the surrounding neighborhood and area schools. Notifications *will* also be made to community groups and employers. The notifications *will* be made by flyer with a photograph and exact address of where the offender *will* be residing. The flyer *will* also include the offender's status and criminal background. A press release and *Level 3* flyer *will* be given to all local electronic and print media to enable information to be placed in local publications, alerting the community of the offender's status, background and address. Community group meetings *may* be held in coordination with the assigned detective and Community Resource Officer to discuss measures residents might take to improve their personal safety.



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- c. The detective, based on the *risk assessment*, investigative background material and possible interview, *will* complete a memo, indicating a notification recommendation, which *will* include:
- 1) A synopsis of the offender's criminal background.
 - 2) The assessment profile recommended classification.
 - 3) The detective's recommended classification and explanation if differences of recommendations occur.
 - 4) A recommended action plan for community notification.
 - 5) A date the memorandum *should* be returned to the detective to assure timely notifications if applicable, pursuant to the 45 day time limit established by A. R. S. § 13-3825.
- d. If community notification is recommended, the assigned detective *will* prepare the appropriate flyer for dissemination. The flyer *will* include a brief synopsis of relevant information, including the age and sex of the *victim(s)*, a photograph of the offender, the offender's name, age, and physical description. In addition, for *Level 2* and *Level 3* offenders, the following *will* also be included:
- 1) On a *Level 2* flyer, only the hundred block of the offender's residence and general description of the offender's vehicle *will* be listed.
 - 2) On a *Level 3* flyer, the exact address and vehicle license plate *will* be listed.
- e. The *Chief*, along with both Commanders, *will* review the information and recommendation of the investigating detective. The *Chief* *will* issue a formal decision in writing, establishing the *level* of notification and detailing specific notification measures to be used.
- f. The detective, if a *Level 3* notification is approved by the *Chief*, *will* assist the Public Information *Officer* in preparing a press release to be given to the electronic and print media with the offender's *Level 3* flyer.



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- g. The detective, if a *Level 2* or a *Level 3* notification is approved by the *Chief*, *will* brief the Community Resource Officer and provide him with a flyer.
- h. The detective, prior to disseminating the flyers, *will* advise the Command Staff that the intended notification is ready to be made.
- i. The *Chief will* notify the *Town Manager* as soon as a determination on *level* has been made and a notification plan approved.

D. Notification Process

- 1. The assigned detective *will* contact the offender at his/her residence at least one week prior to the flyer distribution and any press release.
- 2. With respect to the geographical area and number of flyers to be distributed, all press releases and notifications *should* be made early in the week.
- 3. Detectives, or uniformed *officers*, *will* then distribute the flyers to the geographical area and community groups designated by the *Chief*.
 - a. *Level 1* notification *may* be given to the people with whom the offender resides. The decision to notify *will* be made on a case-by-case basis, depending on the following circumstances:
 - 1) Criminal history of the offender.
 - 2) Age and sex of the *victim(s)*.
 - 3) Relationship of the *victim(s)* to the offender.
 - 4) In the event the offender is sharing a room for rent or is a boarder in a residence, notice *should* be given to the people with whom the offender resides.
 - b. *Level 2* notifications *shall* include notifying those who reside with the offender, neighbors adjacent to the offender's residence, and the Elementary and High School district Office in which the offender resides,



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as well as the adjacent one if the offender resides near a school district boundary. Notifications *may* be expanded on a case-by-case basis, depending upon the following circumstances:

- 1) Criminal history of the offender.
- 2) Age and sex of the *victim(s)*.
- 3) Relationship of the *victim(s)* to the offender.
- 4) Neighborhood layout.

c. *Level 3* notifications *shall* include notifying the residents where the offender lives, the residences within one square block of the offender's home, appropriate Neighborhood groups, School District offices, community groups, prospective employers and the media. Notifications *may* be expanded in scope on a case-by case basis depending upon the following circumstances:

- 1) Criminal history of the offender.
- 2) Age and sex of the *victim(s)*.
- 3) Relationship of the *victim(s)* to the offender.
- 4) Neighborhood layout.

d. A section map showing the geographical area where notification flyers were distributed *will* be placed in the offender's file.

e. If necessary, the detective *may* request additional assistance through the *CIU supervisor*. He *will* prepare a memorandum, supporting the need for assistance of additional detectives or the assistance of the Patrol Division for distributing flyers in an exceptionally large geographical area. If additional assistance is required, the Support Services Commander *will* log the additional *officer's* names and hourly pay rates for reimbursement purposes.



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f. The Support Services Commander *will* log the total number of hours required and expenses incurred for the flyer preparation and hours required for distribution. For each notification process a maximum of \$475 is available for reimbursement through the *Arizona Department of Public Safety*.

1) The Support Services Commander *will* complete the *Arizona Department of Public Safety* Sex Offender Notification Reimbursement Request form and submit it during the appropriate fiscal quarter, per *DPS* guidelines.

2) When the notifications have been completed, the detective *will* ensure that *DPS* is notified via ACJIS and that the appropriate notifications have been made within the required 45-day time limit.

E. Sex Offender Tracking

1. Efforts *will* be made within the limits of allocated resources to verify an offender's address as follows:

a. *Level 1* - once every 18 months.

b. *Level 2* - once every 12 months.

c. *Level 3* - once every 3 months.

d. Additional and/or random verifications *will* be made as needed. Added verification *may* be done by a certified letter or in person.

2. If it is learned that the offender has moved, the assigned detective *will* then notify the *Maricopa County Sheriff's Office* by administrative message via *ACJIS*, of the offender's move from the known address.

a. The detective, after waiting 10 days to determine whether the sex offender has re-registered, *will* have a dispatcher make an *ACJIS* inquiry of the offender.



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- b. If the sex offender has failed to re-register within 10 days, the detective *will* notify the *Maricopa County Sheriff's Office* by administrative messages via *ACJIS*.
- c. The detective *will* then complete a police *report* and the completed investigation *will* be submitted to the *Maricopa County Attorney's Office* for prosecution.

F. Other Responsibilities

- 1. The assigned detective *will* assist other criminal justice agencies when applicable, especially when an offender resides on or near the *municipal boundaries*.
- 2. The detective *will* maintain and update files on a continuous basis.