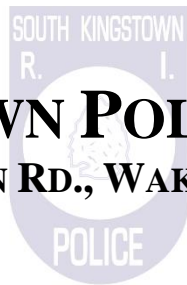


# SOUTH KINGSTOWN POLICE DEPARTMENT

1790 KINGSTOWN RD., WAKEFIELD, RI 02879



POLICY NUMBER	ORDER TYPE	ORIGINAL ISSUE DATE	EFFECTIVE DATE
610.02	OPERATIONAL POLICY	8/5/04	11/05/21
CHAPTER : SUBSECTION		TITLE	
COMMUNITY RELATIONS & SERVICES : INFORMATION SERVICES		SEXUAL OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION	
REVIEW DATES		REVISION DATES	
1/3/10, 1/7/16, 3/27/19, 9/16/20, 11/05/21		1/7/16, 3/27/19, 9/16/20, 11/05/21	
DISTRIBUTION	REFERENCE		PAGES
SWORN PERSONNEL AND DISPATCHERS	NONE		10

## I. PURPOSE

The purpose of this policy is to establish procedures for compliance with RIGL 11-37.1-1 et seq., The Sexual Offender Registration and Community Notification Act.

## II. POLICY

The South Kingstown Police Department supports the philosophy of informing members of the public of the pending or current release of convicted sexually violent offenders. By providing adequate notice to the public, communities and others effected by the release can proactively plan to safeguard their children and families against possible re-offense by the sexually violent offender. It is the policy of the South Kingstown Police Department to provide community notification relative to the release of those offenders as designated by statute, while preserving the rights of those offenders. It is also the policy of this department to provide the maximum information authorized by law, consistent with the requirements of public safety and the legal rights of the offender.

## III. DEFINITIONS

***Sexually Violent Offense*** - Any violation of RIGL’s 11-37-2, 11-37-4, 11-37-6, 11-37-8, 11-37-8.1, 11-37-8.3, 11-5-1 where the specified felony is a sexual assault, or section 11-23-1 where the murder was committed in the perpetration of, or attempted perpetration of, rape or any degree of sexual assault or child molestation, or any offense in another jurisdiction which is substantially the equivalent of any offense listed in this definition and for which the person is or would be required to register under 42 USC 14071 or 18

USC 4042 (c).

***Sexually Violent Predator*** - A person who has been convicted of a sexually violent offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.

***Predator*** - A person whose act(s) is (are) or was (were) directed at a stranger, or at a person with whom a relationship has been established or promoted for the primary purpose of victimization. The definition includes those who have a pre-existing familiar relationship with a victim or victims.

***Risk Level Assessment*** - The level of danger to the community established by the Rhode Island State Parole Board. There are three risk levels:

**Level 1:** Risk level 1 describes a sexually violent offender whose risk assessment indicates a low risk of re-offense.

**Level 2:** Risk level 2 describes a sexually violent offender whose risk assessment indicates a moderate risk of re-offense.

**Level 3:** Risk level 3 describes a sexually violent offender whose risk assessment indicates a high risk of re-offense.

***Likely to Encounter*** - Describes organizations or community members in a location or in close proximity to a location where an offender lives or is employed, or which an offender is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program; and the types of interaction which ordinarily occur at these locations and other circumstances which indicate contact with an offender is reasonably certain.

***Day Care Establishments*** - An establishment licensed by the State of Rhode Island or its agents, to provide day care services for children.

***Parent*** - A parent of a student, including a natural or adoptive parent, a guardian, or an individual acting as a parent in the absence of a parent or guardian.

***Public and Private Educational Institutions*** - An elementary, secondary and post-secondary educational institution authorized or licensed by the State of Rhode Island.

***School Age Child*** - A minor child attending any public or private day care, nursery, pre-school, kindergarten, elementary, secondary, or post-secondary educational institution authorized or licensed by the State of Rhode Island.

## IV. PROCEDURE

### A. Statewide Registration

1. Offenders who are required to register in accordance with RIGL 11-37.1 will be documented on the department Sex Offender Registration forms. Registration packages, including forms and instructions, are available in Dispatch, and can be completed during any shift.
2. The registration process is the same for adults and juveniles (including fingerprints and photographs).
3. The registration process is the same for all registered sex offenders in RI as well

as from other states.

4. The registration process applies to offenders that move into the town on a permanent or temporary basis.
  - a. A permanent residency is any home, apartment, condo etc. where the offender believes he/she will be living indefinitely.
  - b. A temporary basis *does* apply to those offenders who are in town at an interim residence or in town for employment or education purposes or are on a vacation or a personal trip.
    - 1) The permanent address of the offender, in or out of the state of RI, must be listed on the registration paperwork. The temporary address where the offender will be staying will be documented in the associated offense report narrative.
    - 2) The specific date range the offender will be at the temporary address must be listed in the report narrative as well.

5. Registration process

If a registered sex offender is notifying SKPD that he/she is ***moving out of South Kingstown, or to different address within South Kingstown***, the officer will add a supplemental narrative to the current offense report and update vital information. The process for new/new to town offenders or offenders registering on a scheduled basis, is as follows:

- a. Verify if there is already a No Crime offense report titled 'Sex Offender Registration' for the current year, for the offender. If so, update information and add a new narrative. If not, create a new offense report.
- b. Run the offender NCIC to check for active warrant status.
- c. Obtain BCI and III, as well as driver's license number, passport, or other form of identification.
- d. Take booking photo (to include scars and tattoos) and fingerprints.
- e. Obtain or update demographics and other vital information.
- f. Obtain most recent address (where they are moving from) and indicate in the report narrative.
- g. The address listed in the offense report (face sheet) should be the address where the offender will be moving to in South Kingstown. This address should also be referenced in the report narrative.
- h. Provide the offender with a business card for the assigned Detective. (Cards are located in the Sex Offender file, near the Dispatch window.)
- i. Advise the offender that a Detective will contact him/her for an interview in order to complete all necessary paperwork.
- j. Submit the offense report and copies of the State and South Kingstown Police Department registration forms to the OIC, to be forwarded to the Detective Division.

6. Sex offender registration forms are not public record and may only be

disseminated to those persons authorized by state law and the Attorney General's guidelines.

## B. Record Keeping and Tracking of Offenders

1. Duties of the Detective Division or designee.
  - a. Maintain sex offender registration file for both adult and juvenile offenders in accordance with RIGL 14-1-64.
  - b. Upon notice from the parole board or another law enforcement agency of a sexual offender living, working, visiting, or likely to be encountered in an area within our jurisdiction, a file will be opened in the Detective Division.
  - c. Maintain written verification of the offender's registration, any appeals taken, and all actions taken by the police for community notification.
  - d. Maintain all RI Attorney General Forms, South Kingstown Police Department Registration Forms, fingerprints, and photographs in a file located in the Detective Division.
  - e. Enter all registrations and/or change of address into the RILETS Sex Offender Database. Once the data base is updated, OffenderWatch automatically notifies other police departments in surrounding jurisdictions and those police departments in the community where the offender works, visits, or is likely to be encountered.
  - f. Enter sex offender registration information into the IMC registration system after an offense report has been taken.
  - g. Re-notification, in accordance with the Attorney General's guidelines, when an offender gives notice of change of residence within our city or to another jurisdiction.
  - h. Re-registration of offenders as required in RIGL 11-37.1-4.

## C. Enforcement of Violations of the Registration Requirement

1. When an officer has reason to believe that a person may be a sexual offender (as verified through BCI check, IMC, etc.), the officer will make a check of the departments sex offender registration files to verify the status and assure that an offender required to register has complied. Any information obtained will be documented in an offense report.
2. Duties of Detectives
  - a. Upon notification that a sex offender has failed to register, detectives will be assigned to investigate.
  - b. Proper documentation will be obtained to indicate that the sex offender has not in fact registered and is required to do so. This will be verified through:
    - 1) The 'Duty to Register' form with RIDOC, that bears the offender's signature at sentencing or prior to release from prison'
    - 2) Checking SKPD files to verify registration was not complied with; and

3) Checking the Sex Offender Registry Database.

- c. A warrant will be obtained for the defendant, charging him/her with a violation of the appropriate statute.
- d. After securing a warrant for the defendant's arrest, a vigorous attempt to effect an arrest will be made as soon as possible. Attempts will be documented.

3. Duties of Arresting Officer

- a. Upon arrest of a sexual offender for failure to register as required in RIGL 11-37.1, notification will be made to the Prosecution Division that the defendant may be in violation of probation.
- b. Notify the Parole Division within the Department of Corrections so that the appropriate documents will be forwarded to the Prosecution Division for reporting purposes.

D. Community Notification

The South Kingstown Police Department will receive notification from the Rhode Island Department of Corrections (RIDOC) of the pending release of any convicted sexually violent offender who has chosen to reside within the Town of South Kingstown. The Parole Board determines the appropriate level of community notification for each sexually violent offender for jail and non-jail offenses. The South Kingstown Police Department shall implement notification procedures consistent with the risk level assigned by the parole board. Detective and Patrol Division personnel shall comply with procedures for the specific level of notification. The Captain of Operations and Detective Commander shall coordinate the implementation of the procedures within their divisions. The Detective Division, under the Detective Commander, shall have overall responsibility for departmental compliance with community notification requirements.

1. Level 1 Notification

- a. Detective personnel shall distribute an Offender Fact Sheet to the victim(s) of, and witness(s) to, the crime committed by the offender, if so requested by the victim/witness. It will be necessary for the victim/witness to provide the Parole Board and/or the South Kingstown Police Department with a current mailing address in order for notification to occur.
- b. Detective personnel shall distribute Offender Fact Sheet information to sworn department personnel through use of roll-call bulletins, bulletin boards and departmental E-mail.
- c. Detective personnel shall distribute an Offender Fact Sheet to the offender.

2. Level 2 Notification for Offenders Placed in a Residential Facility

- a. Detective personnel shall distribute an Offender Fact Sheet to the victim(s) of and witness(s) to the crime committed by the offender, if so requested by the victim/witness. It will be necessary for the victim/witness to provide the Parole Board and/or the South Kingstown Police Department with a current mailing address in order for notification to occur.

- b. Detective personnel shall distribute Offender Fact Sheet information to sworn department personnel through use of roll-call bulletins, bulletin boards and department E-mail.
  - c. Detective personnel shall distribute the Offender Fact Sheet to the offender.
  - d. Upon notification of the offender's scheduled release from the residential facility, additional disclosure shall occur according to the below Level 2 section.
3. Level 2 Notification for offenders not placed in a Residential Facility
- a. Detective personnel shall distribute an Offender Fact Sheet to the victim(s) of and witness(s) to the crime committed by the offender, if so requested by the victim/witness.
  - b. Detective personnel shall distribute Offender Fact Sheet information to sworn department personnel through use of roll-call bulletins, bulletin boards and departmental E-mail.
  - c. Detective personnel shall distribute the Offender Fact Sheet to the offender.
  - d. Detective personnel, upon receipt of an Offender Fact Sheet, shall distribute the fact sheet to the following establishments:
    - 1) *Public elementary, middle and secondary schools* - Department personnel shall distribute the Offender Fact Sheet to the Superintendent of Public Schools and to the principal of each public elementary, middle and secondary school within the Town of South Kingstown for the purpose of sharing information with school employees only.
    - 2) *Private elementary, middle and secondary schools* - Department personnel shall distribute the Offender Fact Sheet to the principal of each private elementary, middle and secondary school within the Town of South Kingstown for the purpose of sharing information with school employees only.
    - 3) *Private nursery, Pre-school and Kindergarten schools* - Department personnel shall distribute the offender fact sheet to the director of each private nursery, pre-school, or kindergarten school within the Town of South Kingstown for the purpose of sharing information with school employees only.
    - 4) *Licensed day care providers and establishments* - Department personnel shall distribute the offender fact sheet to the director of each licensed day care provider or day care establishment within the Town of South Kingstown for the purpose of sharing information with day care employees only.
  - e. Detective personnel shall also consider the following examples of organizations and establishments that may receive the Offender Fact sheet, if the offender is likely to frequent or partake in activities within these organizations. These examples include, but are not limited to:
    - 1) Football leagues (coaches, adult supervisors only)

- 2) Little League and Babe Ruth Baseball Leagues (coaches, adult supervisors only)
- 3) Youth soccer, tennis, basketball and other sport leagues (coaches, adult supervisors only)
- 4) Religious organizations (church personnel only)
- 5) Boys and Girls Clubs (employees, security only)
- 6) Boys Scouts, Girl Scouts, Cub Scouts, Brownies (employees, adult team leaders only)
- 7) Volunteer and community organizations that come in contact with children (adult volunteers, directors, employees, security only)
- 8) Local merchant associations (employees, security only)
- 9) Public and private sports facilities, bowling alleys, recreation centers and gymnasiums (adult supervisors, employees, security only)
- 10) Entertainment facilities, movie theaters, community theater groups (employees, adult volunteers, security only)
- 11) Neighborhood Crime Watch Groups in neighborhoods where the offender is likely to be encountered
- 12) All public meeting facilities (supervisors, employees, adult volunteers, security only)
- 13) Libraries (employees, adult volunteers, security only)

In determining the establishments and organizations that will be given the offender fact sheet, detective personnel shall consider the offender's prior history, offense characteristics, employment, recreational, social and religious interests, and the characteristics of likely victims.

#### 4. Level 3 Notification for Offenders Placed in a Residential Facility

- a. Detective personnel shall distribute an Offender Fact sheet to the victim(s) of and witness(s) to the crime committed by the offender, if so requested by the victim/witness. It will be necessary for the victim/witness to provide the Parole Board and/or the South Kingstown Police Department with a current mailing address in order for notification to occur.
- b. Detective personnel shall distribute Offender Fact Sheet information to sworn department personnel through use of roll-call bulletins, department bulletin boards and the departmental E-mail system.
- c. Detective personnel shall distribute the Offender Fact sheet to the offender.
- d. Upon notification of the offender's scheduled release from the residential facility, additional disclosure shall occur according to the below Level 3 section.

#### 5. Level 3 Notification for Offenders not Placed in a Residential Facility

- a. Notification shall be made to all persons and entities to which Level 2 disclosure would be made according to this policy. However, disclosure shall

not be limited to coaches, supervisors, employees, adult volunteers, team leaders, or security agents listed in Level 2 Notification.

- b. Detective personnel shall distribute the Offender Fact Sheet to any other law enforcement agency having jurisdiction of an area in which the offender is likely to be encountered.
  - c. Additional disclosure of the Offender Fact Sheet shall be made to any other members of the community the offender is likely to encounter. In determining the individual community members, establishments and organizations who will receive the Offender Fact Sheet, Detective personnel shall consider the offender's prior history, age, offense characteristics, employment, recreational, social and religious interests, and the characteristics of likely victims.
  - d. Detective personnel shall make reasonable efforts to notify members of the community at large through appropriate use of public information resources that shall include two (2) or more of the following:
    - 1) Provide public access to copies of the Offender Fact Sheet at police headquarters.
    - 2) Place an advertisement of the Offender Fact Sheet in a local newspaper for a period not less than three consecutive issues.
    - 3) Coordinate with Patrol personnel to post the Offender Fact Sheet at the following town-owned locations:
      - a) Public Safety Building
      - b) Town Hall
      - c) Libraries
      - d) Recreation centers
      - e) Sports facilities equipped with bulletin boards
      - f) Apartment complexes
    - 4) Utilize any other effective method of distribution
  - e. Organize and utilize community meetings for the purpose of informing the public of the characteristics and methods of sex offenders, basic safety procedures to minimize the likelihood of assault and information about the particular offender, including the distribution of the Offender Fact Sheet.
6. The department shall submit the general community notification plans to the Sex Offender Notification Unit (SOCN Unit) for approval every five (5) years. The SOCN Unit shall review the agency's Level II and Level III community notification plans for consistency across law enforcement agencies and for compliance with the SOCN Unit's guidelines. Except that if a law enforcement agency modified its community notification plan within that five (5) years, then the agency shall send within ninety (90) days a copy of its modified plan to the SOCN Unit for approval.

#### E. Methods of Notification

1. The following methods may be used in combination to effectively notify the



public during a sex offender community notification:

- a. Sworn personnel will hand deliver offender fact sheets to residences directly abutting /adjacent to the offenders house. The number of homes to be delivered to will be determined by a visual inspection, to satisfy the intent of notifying residents in the immediate area. If the offender resides in an apartment complex, the police department may provide the management agency with an offender fact sheet.
- b. The Detective Division may e-mail residents the offender fact sheet, utilizing e-mails provided by the South Kingstown School Department.
- c. The Detective Division may also email an offender fact sheet to private schools and other organizations eligible to receive the notification.
- d. Offender fact sheets may be mailed to individuals or organizations that do not have an e-mail address and are eligible to receive the offender fact sheet.

F. Removal of Listing from Public website Upon Death or Expiration of Registration Period

If an offender, who is statutorily required to be posted to the state public website, dies and sufficient proof of death or suggestion of death is provided to the Sexual Offender Community Notification Unit (SOCN Unit) (or its successor) then the public listing shall be removed; OR if the period during which an offender is required to register expires, then the public listing shall be removed.

G. Re-Notification

1. When an offender notifies the department of the intent to move from the Town or within the Town, Detective personnel shall:
  - a. Obtain a copy of the Change of Address Notice from the offender. A copy of the form shall be distributed to the Chief of Police of the jurisdiction to which the offender intends to reside. A copy will be retained for the South Kingstown Police Department's files.
  - b. Provide the new Law Enforcement Agency with all relevant and necessary information in its possession pertaining to the offender, including the specific notification plan utilized for the offender. The new Law Enforcement Agency then has the responsibility for implementing a community notification plan at the level determined by the Parole Board.
  - c. Determine if additional disclosure for other community members is necessary if the offender changes residence within the town. If so, additional disclosure shall be at the notification level determined by the Parole Board.
2. The South Kingstown Police Department may periodically review its community notification files to determine if re-notification of the community is appropriate due to changes in the make-up of the community. In making that determination, the department shall consider the nature and characteristics of the community, including the extent of changes in its population and membership.
3. The department shall not, on its own, change the level of notification for any offender. If re-notification is appropriate, Detective personnel shall employ the

same methods of notification it employed originally to the extent that it is feasible, consistent with the original recommendations by the Parole Board.

4. Upon notification by the Parole Board of a reclassification of an offender's risk level, the department shall implement a Community Notification Plan consistent with the Parole Board's new risk assessment level and in accordance with this policy.

By Order of:

A handwritten signature in blue ink that reads "Joel Ewing - Chow". The signature is written in a cursive style.

Joel J. Ewing-Chow  
Chief of Police