

SOPB Community Notification Sub-Committee Applicable RCWs and Model Policy Best Practices

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RCW 71.09.140 Notice of conditional release or unconditional discharge—Notice of escape and recapture.

(1) At the earliest possible date, and in no event later than thirty days before conditional release or unconditional discharge, except in the event of escape, the department of social and health services shall send written notice of conditional release, unconditional discharge, or escape, to the following:

(a) The chief of police of the city, if any, in which the person will reside or in which placement will be made under a less restrictive alternative;

(b) The sheriff of the county in which the person will reside or in which placement will be made under a less restrictive alternative; and

(c) The sheriff of the county where the person was last convicted of a sexually violent offense, if the department does not know where the person will reside.

The department shall notify the state patrol of the release of all sexually violent predators and that information shall be placed in the Washington crime information center for dissemination to all law enforcement.

(2) The same notice as required by subsection (1) of this section shall be sent to the following if such notice has been requested in writing about a specific person found to be a sexually violent predator under this chapter:

(a) The victim or victims of any sexually violent offenses for which the person was convicted in the past or the victim's next of kin if the crime was a homicide. "Next of kin" as used in this section means a person's spouse, parents, siblings, and children;

(b) Any witnesses who testified against the person in his or her commitment trial under RCW [71.09.060](#); and

(c) Any person specified in writing by the prosecuting agency.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting agency to receive the notice, and the notice are confidential and shall not be available to the committed person.

(3) If a person committed as a sexually violent predator under this chapter escapes from a department of social and health services facility, the department shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the committed person resided immediately before his or her commitment as a sexually violent predator, or immediately before his or her incarceration for his or her most recent offense. If previously requested, the department shall also notify the witnesses and the victims of the sexually violent offenses for which the person was convicted in the past or the victim's next of kin if the crime was a homicide. If the person is recaptured, the department shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(4) If the victim or victims of any sexually violent offenses for which the person was convicted in the past or the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(5) The department of social and health services shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(6) Nothing in this section shall impose any liability upon a chief of police of a city or sheriff of a county for failing to request in writing a notice as provided in subsection (1) of this section.

**[RCW 9A.44.130](#) Registration of sex offenders and kidnapping offenders—Procedures—
Definition—Penalties.**

(4)(a) Offenders shall register with the county sheriff within the following deadlines:

(i) OFFENDERS IN CUSTODY. Sex offenders or kidnapping offenders who are in custody of the state department of corrections, the state department of social and health services, a local division of youth services, or a local jail or juvenile detention facility, must register at the time of release from custody with an official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county of the offender's anticipated residence. The offender must also register within three business days from the time of release with the county sheriff for the county of the person's residence, or if the person is not a resident of Washington, the county of the person's school, or place of employment or vocation. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

When the agency with jurisdiction intends to release an offender with a duty to register under this section, and the agency has knowledge that the offender is eligible for developmental disability services from the department of social and health services, the agency shall notify the division of developmental disabilities of the release. Notice shall occur not more than thirty days before the offender is to be released. The agency and the division shall assist the offender in meeting the initial registration requirement under this section. Failure to provide such assistance shall not constitute a defense for any violation of this section.

When a person required to register under this section is in the custody of the state department of corrections or a local corrections or probations agency and has been approved for partial confinement as defined in [RCW 9.94A.030](#), the person must register at the time of transfer to partial confinement with the official designated by the agency that has jurisdiction over the offender. The agency shall within three days forward the registration information to the county sheriff for the county in which the offender is in partial confinement. The offender must also register within three business days from the time of the termination of partial confinement or release from confinement with the county sheriff for the county of the person's residence. The agency that has jurisdiction over the offender shall provide notice to the offender of the duty to register.

[RCW 72.09.345](#) Sex offenders—Release of information to protect public—End-of-sentence review committee—Assessment—Records access—Review, classification, referral of offenders—Issuance of narrative notices.

(1) In addition to any other information required to be released under this chapter, the department is authorized, pursuant to [RCW 4.24.550](#), to release relevant information that is necessary to protect the public concerning offenders convicted of sex offenses.

(2) In order for law enforcement agencies to have the information necessary to notify the public as authorized in [RCW 4.24.550](#), the secretary shall establish and administer an end-of-sentence review committee for the purposes of assigning risk levels, reviewing available release plans, and making appropriate referrals for sex offenders.

(3) The committee shall assess, on a case-by-case basis, the public risk posed by:

(a) Offenders preparing for release from confinement for a sex offense or sexually violent offense committed on or after July 1, 1984;

(b) Sex offenders accepted from another state under a reciprocal agreement under the interstate corrections compact authorized in chapter [72.74](#) RCW;

- (c) Juveniles preparing for release from confinement for a sex offense and releasing from the department of social and health services juvenile rehabilitation administration;
 - (d) Juveniles, following disposition, under the jurisdiction of a county juvenile court for a registerable sex offense; and
 - (e) Juveniles found to have committed a sex offense and accepted from another state under a reciprocal agreement under the interstate compact for juveniles authorized in chapter [13.24](#) RCW.
- (4) Notwithstanding any other provision of law, the committee shall have access to all relevant records and information in the possession of public agencies relating to the offenders under review, including police reports; prosecutors' statements of probable cause; presentence investigations and reports; complete judgments and sentences; current classification referrals; criminal history summaries; violation and disciplinary reports; all psychological evaluations and psychiatric hospital reports; sex offender treatment program reports; and juvenile records. Records and information obtained under this subsection shall not be disclosed outside the committee unless otherwise authorized by law.
- (5) The committee shall review each sex offender under its authority before the offender's release from confinement or start of the offender's term of community custody in order to: (a) Classify the offender into a risk level for the purposes of public notification under RCW [4.24.550](#); (b) where available, review the offender's proposed release plan in accordance with the requirements of RCW [72.09.340](#); and (c) make appropriate referrals.
- (6) The committee shall classify as risk level I those sex offenders whose risk assessments indicate they are at a low risk to sexually reoffend within the community at large. The committee shall classify as risk level II those offenders whose risk assessments indicate they are at a moderate risk to sexually reoffend within the community at large. The committee shall classify as risk level III those offenders whose risk assessments indicate they are at a high risk to sexually reoffend within the community at large.
- (7) The committee shall issue to appropriate law enforcement agencies, for their use in making public notifications under RCW [4.24.550](#), narrative notices regarding the pending release of sex offenders from the department's facilities. The narrative notices shall, at a minimum, describe the identity and criminal history behavior of the offender and shall include the department's risk level classification for the offender. For sex offenders classified as either risk level II or III, the narrative notices shall also include the reasons underlying the classification.

[RCW 4.24.550](#) Sex offenders and kidnapping offenders—Release of information to public—Web site.

- (1) In addition to the disclosure under subsection (5) of this section, public agencies are authorized to release information to the public regarding sex offenders and kidnapping offenders when the agency determines that disclosure of the information is relevant and necessary to protect the public and counteract the danger created by the particular offender. This authorization applies to information regarding:
- (a) Any person adjudicated or convicted of a sex offense as defined in RCW [9A.44.128](#) or a kidnapping offense as defined by RCW [9A.44.128](#);
 - (b) any person under the jurisdiction of the indeterminate sentence review board as the result of a sex offense or kidnapping offense;
 - (c) any person committed as a sexually violent predator under chapter [71.09](#) RCW or as a sexual psychopath under chapter [71.06](#) RCW;
 - (d) any person found not guilty of a sex offense or kidnapping offense by reason of insanity under chapter [10.77](#) RCW; and
 - (e) any person found incompetent to stand trial for a sex offense or kidnapping offense and subsequently committed under chapter [71.05](#) or [71.34](#) RCW.

(2) Except for the information specifically required under subsection (5) of this section, the extent of the public disclosure of relevant and necessary information shall be rationally related to:

- (a) The level of risk posed by the offender to the community;
- (b) the locations where the offender resides, expects to reside, or is regularly found; and
- (c) the needs of the affected community members for information to enhance their individual and collective safety.

(3) Except for the information specifically required under subsection (5) of this section, local law enforcement agencies shall consider the following guidelines in determining the extent of a public disclosure made under this section:

(a) For offenders classified as risk level I, the agency shall share information with other appropriate law enforcement agencies and, if the offender is a student, the public or private school regulated under Title [28A](#) RCW or chapter [72.40](#) RCW which the offender is attending, or planning to attend. The agency may disclose, upon request, relevant, necessary, and accurate information to any victim or witness to the offense, any individual community member who lives near the residence where the offender resides, expects to reside, or is regularly found, and any individual who requests information regarding a specific offender;

(b) for offenders classified as risk level II, the agency 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 offender resides, expects to reside, or is regularly found;

(c) for offenders classified as risk level III, the agency may also disclose relevant, necessary, and accurate information to the public at large; and

(d) because more localized notification is not feasible and homeless and transient offenders may present unique risks to the community, the agency may also disclose relevant, necessary, and accurate information to the public at large for offenders registered as homeless or transient.

(4) The county sheriff with whom an offender classified as risk level III is registered shall release a sex offender community notification that conforms to the guidelines established under RCW [4.24.5501](#).

(5)(a) When funded by federal grants or other sources, the Washington association of sheriffs and police chiefs shall create and maintain a statewide registered kidnapping and sex offender web site, which shall be available to the public. The web site shall post all level III and level II registered sex offenders, level I registered sex offenders only during the time they are out of compliance with registration requirements under RCW [9A.44.130](#) or if lacking a fixed residence as provided in RCW [9A.44.130](#), and all registered kidnapping offenders in the state of Washington.

(i) For level III offenders, the web site shall contain, but is not limited to, the registered sex offender's name, relevant criminal convictions, address by hundred block, physical description, and photograph. The web site shall provide mapping capabilities that display the sex offender's address by hundred block on a map. The web site shall allow citizens to search for registered sex offenders within the state of Washington by county, city, zip code, last name, and address by hundred block.

(ii) For level II offenders, and level I sex offenders during the time they are out of compliance with registration requirements under RCW [9A.44.130](#), the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i) of this subsection, provided that it is permissible under state and federal law. If it is not permissible, the web site shall be limited to the information and functionality that is permissible under state and federal law.

(iii) For kidnapping offenders, the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i) of this subsection, provided that it is permissible under state and

federal law. If it is not permissible, the web site shall be limited to the information and functionality that is permissible under state and federal law.

(b) Law enforcement agencies must provide information requested by the Washington association of sheriffs and police chiefs to administer the statewide registered kidnapping and sex offender web site.

(c)(i) Within five business days of the Washington association of sheriffs and police chiefs receiving any public record request under chapter [42.56](#) RCW for sex offender and kidnapping offender information, records or web site data it holds or maintains pursuant to this section or a unified sex offender registry, the Washington association of sheriffs and police chiefs shall refer the requester in writing to the appropriate law enforcement agency or agencies for submission of such a request. The Washington association of sheriffs and police chiefs shall have no further obligation under chapter [42.56](#) RCW for responding to such a request.

(ii) This subparagraph (c) of this section is remedial and applies retroactively.

(6)(a) Law enforcement agencies responsible for the registration and dissemination of information regarding offenders required to register under RCW [9A.44.130](#) shall assign a risk level classification to all offenders after consideration of:

- (i) Any available risk level classifications provided by the department of corrections, the department of social and health services, and the indeterminate sentence review board;
- (ii) the agency's own application of a sex offender risk assessment tool; and
- (iii) other information and aggravating or mitigating factors known to the agency and deemed rationally related to the risk posed by the offender to the community at large.

(b) A sex offender shall be classified as a risk level I if his or her risk assessment and other information or factors deemed relevant by the law enforcement agency indicate he or she is at a low risk to sexually reoffend within the community at large. A sex offender shall be classified as a risk level II if his or her risk assessment and other information or factors deemed relevant by the law enforcement agency indicate he or she is at a moderate risk to sexually reoffend within the community at large. A sex offender shall be classified as a risk level III if his or her risk assessment and other information or factors deemed relevant by the law enforcement agency indicate he or she is at a high risk to sexually reoffend within the community at large.

(c) The agency shall make a good faith effort to notify the public and residents within a reasonable period of time after the offender registers with the agency.

(d) Agencies may develop a process to allow an offender to petition for review of the offender's assigned risk level classification. The timing, frequency, and process for review are at the sole discretion of the agency.

(7) An appointed or elected public official, public employee, or public agency as defined in RCW [4.24.470](#), or units of local government and its employees, as provided in RCW [36.28A.010](#), are immune from civil liability for damages for any discretionary risk level classification decisions or release of relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The immunity in this section applies to risk level classification decisions and the release of relevant and necessary information regarding any individual for whom disclosure is authorized. The decision of a law enforcement agency or official to classify an offender to a risk level other than the one assigned by the department of corrections, the department of social and health services, or the

indeterminate sentence review board, or the release of any relevant and necessary information based on that different classification shall not, by itself, be considered gross negligence or bad faith. The immunity provided under this section applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the general public.

(8) Except as may otherwise be provided by law, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information authorized under this section.

(9) Nothing in this section implies that information regarding persons designated in subsection (1) of this section is confidential except as may otherwise be provided by law.

(10) When a law enforcement agency or official classifies an offender differently than the offender is classified by the end of sentence review committee at the time of the offender's release from confinement, the law enforcement agency or official shall notify the end of sentence review committee and the Washington state patrol and submit its reasons supporting the change in classification.

(11) As used in this section, "law enforcement agency" means a general authority Washington law enforcement agency as defined in RCW [10.93.020](#).

WASPC Model Policy:

COMMUNITY NOTIFICATION PROCESS

As directed by Washington State law, RCW 4.24.550 and 9A.44.130, and in accordance with federal law, Washington State registers convicted sex and kidnapping offenders and provides notification to communities. **It is important to remember, in Washington, risk levels (which determine the level of community notification) are specific to offenders' individualized assessment determining their level of risk to sexually reoffend within the community at large.**

BEST PRACTICES

While there are differing avenues for community notification, there is little empirical data as to which methods are most effective in increasing community safety and reducing recidivism. The four most common methods, also used in Washington State, are: (1) media releases; (2) community education/notification forums; (3) offender specific flyers using either door-to-door distribution or defined area mailings; and (4) public website/registration lists/internet access.

Each method has benefits and drawbacks and meets different community needs. Notification methods that connect directly with a community seem to be more effective. It is recommended that more than one method be used.

Whatever methods are used, care needs to be taken to ensure the accuracy of the factual information being presented in order to reduce the threat of harassment of offenders and to protect the confidentiality of victims.

Law Enforcement must “make a good-faith effort to notify the public and residents within “a reasonable period of time” after the offender registers with the agency (RCW 4.24.550(6)).

NOTIFICATION PROCEDURES

STEP 1—ASSESSING RISK AND NOTIFICATION LEVEL

- (1) Review the risk level assessment documents on an individual sex offender received from DOC or the DSHS on behalf of the ESRC.
- (2) Assign the risk level provided by the ESRC or assign a different classification level and submit the required law enforcement Departure Notice.
- (3) For sex offenders not released from DOC or DSHS law enforcement must complete the risk assessment tool. This might include SSOSA, out of state offenders, and offenders sentenced to jail time.

STEP 2—DETERMINING THE SCOPE OF NOTIFICATION

- (1) Determine the “scope of the danger” this offender poses to your community. This determination is based on the offender level, age of victim, primary areas where the offender might be found, and other potential risk factors.

- (2) Determine the geographic “scope of dissemination.” This is a local determination of the primary area to receive notification. The review should identify schools, child care centers, vulnerable adult care centers, libraries, and other places that attract or cater to children that are in the neighborhood of the offender’s residence, the area around the employment site and other sites the offender might be found.

STEP 3—CREATING LEVEL II AND LEVEL III COMMUNITY NOTIFICATION BULLETINS

State bulletins and/or correspondence issued to law enforcement by the Department of Corrections, Juvenile Rehabilitation Authority, or the Department of Social and Health Services is for law enforcement use only and **are not to be posted in the community or distributed to the public**. Some of the information may be used in drafting your own sex offender information bulletin. It is recommended that agencies use Offender Watch to create these bulletins to ensure consistency and accuracy. For examples please see appendix II.

Offender notification flyers and postcards generally contain offender specific information including the offender’s photo and address by 100 block (please do not use the offender’s complete address). It should also contain community resource information and contact phone numbers. The flyer may be distributed as the only source of notification or may be distributed at community meetings. It is not appropriate to release this type of flyer to school districts for student distribution to parents.

Note: It is important to avoid further harm to victims that may result from the inadvertent identification of the victim in the community notification process. Since victims are often members of the offender’s family, it is advisable, when describing the offender’s criminal behavior in any level II or III community notification document, to refrain from stating the specific relationship between the offender and the victim. Instead a more general descriptor, such as “relative,” together with relevant victim gender and age range information should be used.

Graphic details of the crime are to be avoided.

STEP 4—DISTRIBUTION OF COMMUNITY NOTIFICATION BULLETINS

The focus of community notification must rationally relate to the goals of enhanced public safety and the effective operation of government. Evaluating what is relevant and necessary information for community notification should include the level of risk of the offender; the location where the offender resides, expects to reside, or is regularly found; and the needs of affected community members to enhance their individual and collective safety. RCW 4.24.550(2).

“Accordingly, the geographic scope of dissemination must rationally relate to the threat posed by the registered offender. Depending on the particular methods of an offender, an agency might decide to limit disclosure only to the surrounding neighborhood, or to schools and day care centers, or, in cases of immediate or imminent risk or harm, the public at large. **The scope of disclosure must relate to the scope of the danger.**” State v. Ward 123 Wn2d at 503-504 (Washington State Supreme Court – 1994)

(a) Persons to be notified within a geographical area

- (1) Level I sex offenders: Agencies must notify school districts and school principals if the offender is, or will be, attending their school; they are required to share information with other appropriate law

enforcement agencies; they may disclose information upon request to any victim or witness to the offense and any individual community member who lives near the offender's residence or where the offender expects to reside or is regularly found, and any individual who requests information regarding a specific offender RCW 9A.44.130, RCW 4.24.550(3).

- (2) Level II sex offenders: follow level I guidelines PLUS the agency is authorized to release relevant, necessary, and accurate information to public and private schools, child day care centers, family day care providers, libraries, businesses and organizations that serve primarily children, women or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside or is regularly found. RCW 4.24.550(3) Level II information is posted on the public registered sex offender website.
- (3) Level III sex offenders: follow level II notification guidelines PLUS the agency is authorized to release relevant, necessary, and accurate information to the public at large. This may include publishing information in a legal newspaper with general circulation in the area of the sex offender's registered address.
- (4) Homeless and transient offenders: because more localized notification is not feasible and homeless and transient offenders may present unique risks to the community, the agency may also disclose relevant, necessary, and accurate information to the public at large for offenders registered as homeless or transient (including level I offenders). This is usually done by posting the information on the public registered sex offender website. RCW 4.24.550

Note: Agencies are encouraged to proceed with caution when considering the use of social media as it relates to registered sex offender notification. As mentioned above, the scope of disclosure must relate to the scope of danger.

(b) Public and Private Schools

- Sex offenders residing in school district boundaries: Law enforcement, school districts and school principals should develop written protocols to ensure school and community safety. These protocols should include:
 - Understanding that community notification is the responsibility of law enforcement.
 - Plan for distribution of community notification bulletins within their respective schools when a registered level II or level III sex offender moves into an area near a school. Community notification bulletins on adult and juvenile registered sex offenders should not be sent to parents through their elementary school age children.
 - Plan for community notification when the registered sex offender is a student at a school that ensures school and community safety while respecting the privacy and educational rights of juvenile offenders.
 - Procedures to provide information to organizations that may use school space after school hours.
 - Protocols that discourage secondary dissemination of notifications, i.e. teachers sharing the information in classrooms.
 - Information directing parents requesting copies of community notification bulletins to contact local law enforcement and/or check the Washington Sex Offender website.
- Sex offender attending school [RCW 9A.44.138](#):
 - Upon receiving notice from a registered person pursuant to RCW 9A.44.130 that the person will be attending a school or institution of higher education or will be employed with an institution of higher education, the sheriff must promptly notify the school district and the school principal

or institution's department of public safety and shall provide that school or department with the person's: Name and any aliases used; Complete residential address; date and place of birth; place of employment; crime for which convicted; date and place of conviction; social security number; photograph and risk level classification.

- In addition, the Sheriff shall notify the applicable school district and school principal or institution's department of public safety whenever a student's risk level classification is changed or the Sheriff is notified of a change in the student's address.
- The principal will then disclose the information received from the Sheriff under the guidelines established by the Superintendent of Public Instruction.
- Students who are registered sex offenders are required by law to notify law enforcement within three (3) business days prior to arriving at the school to attend classes. Students who meet the registration requirements who are already attending school must notify law enforcement immediately.
- Juvenile sex offenders may NOT attend a public or private school attended by the victim or the victim's siblings. [RCW 13.40.215](#)

(c) Childcare Centers, Family Child or Adult Day Care Providers

Mail, e-mail, fax or hand deliver bulletins to childcare centers and family day care providers that fall within the geographical scope of dissemination. Using the Offender Watch special recipient list to send an e-mail will simplify this requirement. To obtain contact information for licensed childcare facilities, contact your local member agency of the Washington State Child Care Resource and Referral Network at 1-800-446- 1114 or www.childcarenet.org. The local R&R program can provide a list of licensed childcare facilities based on a specified distance from a given address. The list will include the facility's business name, a contact name, the facility's physical address, a mailing address (if different) and a telephone number. You can also use the Department of Early Learning's site for [Child Care Checks](#).

Adult facilities (i.e. Nursing homes, adult family homes and assisted living providers) can be searched on the DSHS Aging and Long-Term Support Administration's [website](#).

Childcare and adult care providers are charged with the safety of the children and clients in their care so need to be made aware of potential safety concerns. In addition, they can provide a community notification bulletin to parents or guardians when they arrive to pick up their family member.

(d) Public Libraries and businesses and organizations that serve primarily children, women, or vulnerable adults

When possible, use Offender Watch special recipient lists, e-mail lists and/or broadcast FAX for notifications to care centers, libraries, businesses and organizations for greater efficiency and speed.

(e) Neighbors and community groups near the residence where the offender resides, expects to reside or is regularly found

Community notification forums and/or distribution of notification flyers or postcards are the two primary means of notifying community residents. An active block watch or volunteer program through a department will assist in this task. Community notification bulletins and safety literature can be sent directly to block watch captains or police department volunteers to distribute to residents in the identified area. Don't overlook apartment or homeowner associations, especially if there are large apartment complexes or developments in the jurisdiction. In rural jurisdictions, the local Grange may assist in getting

the bulletins distributed. Notification postcards can be mailed directly through Offender Watch.

(f) Other law enforcement agencies

Any time a notification is created, automatically send a copy of the bulletin to other law enforcement agencies in the jurisdiction and neighboring jurisdictions. This can be done through Offender Watch. When the offender moves, the Sheriff's office of the county of residency enters the information into Offender Watch which then notifies the new county agency.

All registered sex offenders are to be entered into Offender Watch database maintained by the Washington Association of Sheriffs and Police Chiefs. The database will be used to populate the public registered sex offender website, which shall post all level II, level III, out-of-compliance level I and, homeless/transient level I registered sex offenders and kidnapping offenders in the state of Washington. The website shall contain, but not be limited to, the registered sex offender's name, relevant criminal convictions, address by hundred block, physical description, and photograph. The website shall provide mapping capabilities that display the sex offender's address by hundred block on a map. The website shall allow citizens to search for registered sex offenders within the state of Washington by county, city, zip code, last name, and address by hundred block. RCW 4.24.550(5).

STEP 5—SEX OFFENDER COMMUNITY NOTIFICATION FORUMS
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One of the most important benefits of community notification is that it provides a vehicle for educating the community regarding sex offenders in general. Protecting children and adults in the community is a much larger task than just knowing the location of registered sex offenders. Community notification meetings provide an opportunity for law enforcement and community stakeholders to partner with private citizens to address public safety.

Few would question the need for sex offenders to be held accountable for their actions. Yet we must insure that sex offender registration and community notification is not used as additional punishment. It is, and is meant to be, regulatory. Fair, responsible, and non-inflammatory community notification is a reasonable consequence to the acts of the offender. Furthermore, it allows citizens to take prudent and rational steps to protect themselves, their children, and their community from the sex offenders they know about as well as those they do not.

Best practice has been identified as a community notification meeting which meet state and federal community protection laws, focuses on community safety issues and universal precautions AND provides offender specific information. Recognizing it is not possible to conduct a meeting every time an offender is released or relocates, law enforcement is encouraged to host meetings on a regular basis. Copies of offender information flyers identifying those currently residing or frequenting that geographical area should be available at any meetings held.

Community Notification Team

Community notification of an offender's release or relocation should be based on primary principles: offender containment, community education, empowerment, and involvement. Best practice for community forums is community collaboration to include law enforcement, the Department of Corrections, Department of Social and Health Services, victim service providers, advocacy groups, and school district personnel.

Once a Community Notification Team is established the same individuals should participate each time

allowing the members to develop experience and comfort in conducting meetings. Prior to any meeting, agreement needs to be made as to roles and responsibilities of all participants. The roles of the various participants might be:

- (a) County Sheriff and or local law enforcement: Convene or arrange with a designee to convene the meeting. Provide information about the history and social responsibility of sex offender registration and supervision. Provide local contact information for prevention education, victim services, and questions and concerns. Provide information regarding how the offender, or offenders in general, will be managed.
- (b) Victim Service Providers: Provide safety, prevention, and community empowerment information.
- (c) DOC/DSHS/JRA: Provide specific supervision information regarding the offender(s) who have been released and general information on the role of DOC/DSHS/JRA in supervising offenders in the community, if applicable to the meeting.
- (d) School Personnel: School personnel may provide specific information regarding the school's response if the offender is or will be attending school.
- (e) Others: Based on the risks the offender presents you may also want to consider including representatives to provide general information about sex offender treatment, mental health issues, domestic violence, or faith community involvement.

Planning a Community Notification Forum

- (a) Determine the date and time of the event. Weekday evenings are usually best. Start and end on time.
- (b) Arrange for an accessible meeting location and any necessary equipment. School auditoriums, churches, and community halls work well, as do grange halls in the rural areas.
- (c) Meeting notifications can be done by a targeted mailing, mass geographical mailing, in person neighborhood canvassing, or sent home from school via a parent newsletter get the word out. Offender Watch generated postcards or agency created flyers may be used to inform the public of an upcoming sex offender information meeting. This announcement should not include offender specific information and should be suitable for distribution by students to take home to parents. The announcement should state that the meeting content is not suitable for children and parents are requested to make child care arrangements
- (d) On the day of the meeting arrive early at the facility to check seating and equipment and set up a resource table. Handouts enable citizens to reference the information you are presenting and are useful when covering key points of information with their children. Whenever possible include information in languages representing the community population.

Conducting a Sex Offender Community Notification Forum Outline, a guideline from the Center for Sex Offender Management

- Welcome the attendees, introduce the Community Notification Team members and their roles, and the review the purpose of meeting.

- Inform the audience about Washington State’s sex offender registration and state and federal community notification and protection laws.
- Provide information about the sex offender or offenders who are the subject of this particular community forum. This will usually include the information published in the notification flyer.
- Present information about local supervision and treatment efforts to safely manage registered sex offenders in the area. Consider including statistics and percentages of level II and level III offenders. Provide a brief description of specific efforts to safely manage a particular offender emphasizing supervision and special conditions.
- Explain the restriction for juvenile offenders to attend a school where the victim or victim’s siblings are attending, if applicable.
- Explain that stability is a key ingredient to prevent reoffending. Include the consequences of abuse of the law by intimidating, harassing or threatening an offender.
- Acknowledge the audience’s interest in their own safety, the safety of their children, and the safety of their neighborhoods.
- Provide contact information including the local sexual assault program for personal safety and child safety education, local law enforcement, and the Offender Watch website.

Example community notification educational materials including a PowerPoint presentation are found in the WASPC Sex Offender Information and Notification Resource Center Website.

Protecting Victim Identification

It is important to avoid further injury to victims that may result from the inadvertent identification of the victim in the community notification process. Since victims are often members of the offender’s family it is advisable, when describing the offender’s criminal behavior in any level II or III community notification document or forum, to refrain from stating the specific relationship between the offender and the victim. A more general descriptor such as “relative,” together with relevant victim gender and age range information, should be used. Graphic details of the crime should be avoided.

Additional Notifications

Local law enforcement should take risk factors into consideration when determining if additional notifications beyond the legislated mandate should be made. These might include a registered sex offender becoming transient, a radical change in appearance, a change in the offender’s name, or a change in conditions.

Real Estate Agent Requirements

Buyer agents are “to advise the buyer to seek expert advice on matters relating to the transaction that are beyond the agent’s expertise” ([RCW 18.86.050](#)). This has been further clarified in the seller disclosure statement as “Agents are not experts on the locations of sex offenders. Buyer’s Agents are to instruct their client that information regarding sex offenders may be obtained from local law enforcement agencies.”

NOTIFICATION CHECKLIST			
Daily as Needed:			
Receive notification bulletin from DOC, DSHS or JRA. Review offender risk level or complete risk level assessment for those not reviewed by ESRC. Assign risk level recommended or reassign level and complete the required departure notice if needed. Determine scope of community notification/dissemination.			
Scope of notification/dissemination:	Level I	Level II	Level III
Other Law Enforcement Agencies.	X	X	X
Principals and School Districts (as required by RCW 9a.44.138).	X	X	X
Victims and witnesses (upon request).	X	X	X
Individual Community members living near an offenders residence, where the offender expects to reside or is regularly found (upon request).	X	X	X
Any individual who requests information regarding a specific offender.	X	X	X
Schools.		X	X
Child Care Centers and Family Day Care Providers.		X	X
Libraries.		X	X
Businesses and organizations serving primarily children, women and/or vulnerable adults.		X	X
Neighbors and community groups near the residence where the offender resides, expects to reside or is regularly found.		X	X
Public at large.		X	X
Daily:			
Update publicly accessible website using Offender Watch.			
Every 90-Days:			
Level III offenders: face-to-face address verification. Consider these items in determining the need to distribute another notification bulletin: (a) offender becomes transient; (b) change in address; (c) radical change in offender's appearance; (d) change offender's name; and (e) change in conditions of registration.			
Every 6 Months:			
Level II offenders: face-to-face address verification.			
Yearly:			
Level I offenders: face-to-face address verification.			