

Peoria Police Department Policy and Procedure Manual

Policy 4.28 Sex Offender Notification Program



**“Our Community...
Our Commitment”**

I. PURPOSE

It is the policy of the Peoria Police Department to operate an ongoing program of sex offender registration and tracking as mandated by Arizona state law. The program consists of procedures which include completing a full background investigation of the offender, determining the classification of the offender, and appropriate notification. The program also contains procedures for maintaining current documentation and tracking offenders as well as coordinating with and assisting other criminal justice agencies as necessary.

II. AUTHORITY

The Sex Offender Notification (SON) Program is governed by Arizona State Law, ARS 13-3825, 13-3826 and provisions of the Community Protection Act of 1996.

III. RESPONSIBILITY

A. The Criminal Investigations Bureau (CIB), Family Crimes Unit (FCU), shall be responsible for administering the Peoria Police Department SON Program.

B. The Patrol Services Bureau (PSB) will assist in the re-verification aspects of the program. Re-verifications occur at periodic intervals as indicated within this policy and are tracked by the CIB Police Services Officer (PSO). The purpose of re-verification is to confirm that a Sex Offender still resides at the recorded location and to provide updated personal information and a photograph for the Sex Offender's police file. The procedure for this process is as follows:

1. The CIB PSO will generate a call for service by contacting Communications and requesting a Priority 4 call be generated, providing the pertinent information including the existing report number.

2. The Patrol Officer assigned to the call will contact the Sex Offender and conduct an interview necessary to complete the non-shaded portions of CIB Form 101-035, and take a digital photograph of the sex offender. The Re-verification Form and photograph will be forwarded to the CIB PSO.

3. PSB will attempt to contact the sex offender at least once each shift for three days, annotating the attempts on an attached note to the Re-verification Form, forwarding the form and notations to the CIB PSO if no contact is made within the three days.

4. The CIB PSO will route the form to the SON Detective who will verify the sex offender is in compliance with all terms of registration, complete the form, and route it back to the CIB PSO.

5. The CIB PSO will update the sex offender's photograph in the SON data system, place a copy of the photograph and Re-verification Form into the sex offender's CIB file, and forward the completed original to Records.

IV. INITIAL REGISTRATION:

A. Package information will be completed by the Maricopa County Sheriff's Office (MCSO) per their procedures.

B. Registration for offenders living within the Peoria city limits is forwarded to the FCU supervisor by MCSO as mandated by ARS 13-3821.

C. Before the offender is released from custody, or at the time the offender is accepted under an interstate compact, DOC, parole, or the probation department will enter the following information in the ACJIS computer. The information will be available to the SON Detective via computer; including:

1. A risk assessment of the offender.
2. The offender's date of release from confinement or, if the offender is sentenced to probation without jail time, the date the sentence is imposed.

V. DETECTIVE RESPONSIBILITIES:

- A. Check package for completeness.
- B. Create a SON file, which shall include:
 1. Initial registration with photo.
 2. Department of Corrections (DOC)/parole Arizona Criminal Justice Information System (ACJIS) information.
- C. Conduct a background investigation of offender using the following sources.
 1. National Crime Information Center (NCIC).
 2. Arizona Crime Information Center (ACIC).
 3. Motor Vehicle Department (MVD) Driver's License and Motor Vehicle Registration.
 4. Other applicable documents, etc.
 5. Sex Offender Notification Profile.
 6. ACJIS.
- D. Interview the offender, if possible.
 1. Have the sex offender sign the sex offender registration requirement (CIB Form #101-024), Sex Offender Notification Registration Requirements.
 2. Advise the sex offender of his level and notification details after the Investigation is complete.

3. Have the sex offender fingerprint the sex offender registration requirement form (CIB Form #101-024) with his right index finger or thumb and then initial, sign, and date the form.

4. Provide the sex offender with a copy of the form.

VI. CLASSIFICATION

A. The SON detective shall:

1. Classify the sex offender as a Level 1, 2, or 3, based on the risk assessment, investigative information, interview, and other relevant information. The screening assessment instrument will be used in conjunction with other available information by other available criminal justice agencies to determine the level of notification.

2. Make a written recommendation through the chain of command on classification level and community notification.

3. The final decision as to what level of notification is to be made, regardless of the numerical rating of the instrument, rests with the Deputy Chief of the Support Services Division. It shall be the Deputy Chief's responsibility to notify the Chief of Police of community notifications as he deems necessary.

B. The score on the assessment screening profile provides only a recommended risk level for notification purposes. According to the state sanctioned SON work group committee, Peoria Police Department shall use all available resources to place the offender in the risk level they feel best reflects the offenders risk to the community.

C. Level 1 Offender:

1. Usually a score of 20 or below on the assessment.

2. Complete Interoffice Memo and Recommendation Form (CIB Form #101-033), and route with appropriate documentation as indicated.

3. Information about the offender will be maintained by the FCU Unit. This information, as well as a photograph of the offender may be disseminated to other appropriate law enforcement agencies.

D. Level 2 Offender:

1. Usually a score between 21-30 on the assessment.

2. Level 2 notification shall be made.

3. Notification to the immediate household

surrounding neighborhood, area schools, media outlets (air & prints), appropriate community groups, and prospective employers which will include a flyer with a photograph and exact address of the sex offender and a vehicle description (if any) to include the license plate number, as well as a summary of the sex offender’s status and criminal background will be made. A mailing or hand delivery of flyers may be made within a two block radius of the sex offender’s residence.

4. A press release and a level 2 flyer (hard copy or e-mail) will be distributed to the local electronic and print media, surrounding law enforcement agencies, school districts, Peoria Police Department officers by the PIO.

5. Community group meetings may be held to discuss the concerns of neighborhood residents and measures they might take to improve their personal safety.

E. Level 3 Offender:

1. Usually a score of 31 or above on the assessment.

2. Level 3 notification shall be made.

3. Notification to the immediate household surrounding neighborhood, area schools, media outlets (air & prints) appropriate community groups, and prospective employers which will include a flyer with a photograph and exact address of the offender and a vehicle description (if any) to include license plate number as well as a summary of the offender’s status and criminal background will be made. A mailing or hand delivery of flyers may be made within a two block radius of the sex offender’s residence.

4. A press release and a level 3 flyer (hard copy or e-mail) will be distributed to the local electronic and print media, surrounding law enforcement agencies, school districts, Peoria Police Department officers by the PIO.

5. Community group meetings may be held to discuss concerns of neighborhood residents and measures they might take to improve their personal safety.

VII. ADMINISTRATIVE REVIEW:

A. The SON detective will complete the Interoffice Memo and Recommendation Form (CIB Form #101-033), including:

- 1. Synopsis of criminal activity;
- 2. Assessment profile recommended classification;
- 3. Recommended classification;
- 4. Explanation if assessment recommendation and SON Detective recommendation differ;

5. An indication if community notification is recommended;

6. A date by which the form should be returned to Sex Offender Profile Notification (SOPN) to assure timely notification (if applicable) pursuant to ARS 13-3825.

B. Obtain chain of command approval for recommendation.

1. For level 1: FCU Unit Sergeant and CIB Lieutenant.

2. For level 2: FCU Unit Sergeant, CIB Lieutenant, and Special Services Deputy Chief.

a. For level 3: FCU Unit Sergeant, CIB Lieutenant, and Special Services Deputy Chief.

VIII. ACTION PLAN:

A. Per ARS 13-3825, the Peoria Police Department has 45 days to make the appropriate notification.

B. As part of the action plan, the SON detective shall:

- 1. Verify the residence of the offender in person.
- 2. Notify the offender via certified letter, phone, or personal contact of his classification level.

3. Evaluate the geographical area for notification with consideration for the following:

- a. Modus operandi of the offender.
- b. Age and sex of victim(s).
- c. Offender’s mobility.
- d. Neighborhood layout.
- e. Develop Community Notification flyers for dissemination as necessary.

(1) Level 1: no flyer needed

(2) Level 2 and 3 Flyers will include:

(a) A brief description of offense(s), including age, sex of victim, and relationship of victim to offender.

(b) Photograph of offender.

(c) Name, DOB, physical description.

(d) Specific address of offender.

(e) Detailed description of offender’s vehicle including license plate.

(3) Press release and level 2 flyers will be given to the local electronic and print media to enable the information to be placed in local publications alerting the Community of the offender’s status, background, and address.

f. Level 3: Flyers will include all level 2 information with the addition of:

(1) Specific address instead of general area.

(2) Detailed description of offender’s vehicle including license plate.

(3) Press release and level 3 flyers will be given to the 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.

IX. DATA MAINTENANCE:

A. SON Detective or designee shall:

1. Maintain files for each offender, including:

a. Initial information. Detective will complete Initial Sex Offender Registration Form (CIB Form #101-031).

b. Change of address information. Detective will contact the offender by letter to confirm current address and notify offender of change of address notification requirements.

c. Case reports received from law enforcement agencies.

2. Detectives will complete the Sex Offender Information Request (CIB Form #101-032) to obtain offender information when necessary.

3. Any other correspondence, and/or paperwork concerning the offender This may include completion of some or all of the following unit forms:

a. Sex Offender Notification Interoffice Memo and Recommendation (CIB Form #101-033). This form is completed by a SON detective and includes a recommendation as to the classification level of an offender.

b. Sex Offender Notification Program Information Handout (CIB Form #101-034). This form is used by SON detectives to provide information about the offender notification program to citizens and public officials.

c. Verification of Residence on Maricopa County Registered Sex Offenders Residing in Peoria (CIB Form #101-031). This form is completed by SON detectives

when confirming the current address of sex offenders residing in the City of Peoria.

d. Sex Offender Admonition Form (CIB Form #101-024). This form is completed by the offender in the presence of a SON detective. The offender initials next to each item listed related to their responsibilities under the registration program.

e. Sex Offender Re-Verification Form (CIB Form #101-035). This form is used when re-verifying and updating an offender’s file.

4. The SON unit, with the assistance of the Crime Analysis Unit, will enter and update the CAD and mapping system as an information source to Patrol Services.

B. CIB Police Service Officer Responsibilities:

1. Once a sex offender has been classified and notification made when applicable, the CIB PSO will complete the appropriate colored file with all corresponding paperwork.

2. The CIB PSO will:

a. Be responsible for maintaining the Sex Offender Notification Program files located in CIB.

b. Be responsible for entering the sex offender’s information into the Sex Offender Database.

c. Be responsible for forwarding a copy of the detective’s report to Records.

d. Create a backup of the Sex Offender Database quarterly.

X. SEX OFFENDER TRACKING:

A. The SON detective will make an effort, within the limits of allocated resources, to verify offenders and offender’s address as follows:

1. Level 1 - once every 18 months.

2. Level 2 - once every 12 months.

3. Level 3 - once every 6 months.

4. Additional and random verifications will be accomplished as the need arises.

5. The FCU Unit Supervisor will ensure the Sex Offender Database is checked monthly for re-verification messages.

B. As assistance to detectives, the CIB PSO will initiate tracking procedures.

1. The CIB PSO will generate a call for service by contacting Communications and requesting that a Priority 4 call be generated.

2. The assigned officer will complete the Re-Verification Form (CIB Form #101-035) to include a digital photograph. A copy of the form will be sent to the CIB PSO.

3. The CIB PSO will route the form to the SON detective who will verify that the sex offender is in compliance with all terms of registration.

4. The form will be placed into the sex offender's file.

5. The assigned detective will notify the CIB PSO by e-mail or in writing to clear the verification message and update the Sex Offender Database.

XI. OFFENDER PROSECUTION:

The SON Detective will initiate and conduct follow up investigations in these areas:

- A. Failure to register.
- B. Failure to change address, and/or name.
- C. Failure to obtain a sex offender driver's license or identification card.
- D. Information received from other law enforcement agencies pertaining to registered and/or unregistered sex offenders.
- E. The SON Detective may forward these cases to the Maricopa County Attorney's Office for possible prosecution.

XII. OTHER SON DETECTIVE DUTIES: SON detective duties may include:

- A. Public Relations duties such as answering inquiries from the public; attending public meetings as appropriate, and providing media information as directed.
- B. Assisting other agencies by coordinating with criminal justice agencies to identify, investigate, apprehend, prosecute, and monitor offenders.
- C. Responding to missing children calls by providing investigative assistance to patrol at the onset of a missing child search at the request of the Field Supervisor after it has been determined that a registered sex offender is involved.

XIII. TRAINING: SON detectives will provide training to field officers reference community notification, sex offender laws, the Re-Verification process, and other procedures reference sex offenders.

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