

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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Serving the Law Enforcement Community and the Citizens of Washington

REGISTERED SEX & KIDNAPPING OFFENDER AGENCY COORDINATORS PROCEDURE GUIDELINES HANDBOOK LAST UPDATE: JULY 2015



This is a dynamic document. Items will be added as identified and approved by the Offender Watch User Group. **New items will initially be posted in red.** Items in black are procedures usually related to the Offender Watch program that must be followed. **Items in blue are recommended or suggested in an effort to standardize practices around the state.** **Items in green are how to/where to find in Offender Watch.**

Sex Offender Classification:

Washington State uses a system of risk assessment to level an offender based on the offender's risk to the community at large. Sex Offenders are assessed using a researched based tool—the STATIC99R.

Risk Level Definitions:

- **Level 1**—These offenders present the lowest risk to sexually re-offend within the community at large.
- **Level 2**—These offenders generally present a moderate risk to sexually re-offend within the community at large.
- **Level 3**—These offenders pose a high risk to sexually re-offend within the community at large.

SORNA:

SORNA is presented for informational purposes only. Offenders coming from other states and tribal jurisdictions may be tiered, but will need to be risk assessed to comply with Washington law.

Title I of the Adam Walsh Child Protection and Safety Act of 2006, the Sex Offender Registration and Notification Act (SORNA) establishes minimum national standards for sex offender registration and notification. Under the provisions of SORNA offenders are placed in tiers based on the conviction offense. There are three tiers in the system and offenders must complete address verification and reporting schedules based on their tier.

Non-Resident Employment/School Information:

When an offender lives in one county but is employed/school in another county, employment information should be sent to WSP by the county of residence, **not the county of employment/school.**

When an offender is living in another state but working or attending school in Washington the county (WA) of employment/school will need to notify WSP. There is a field on the livescan terminal that can be marked Non-resident, Employed or school. There is also place on the hard cards that can be marked non-resident, Employed or School.

OffenderWatch Guidelines:

OffenderWatch is not just an offender management and monitoring tool, it is also designed as an investigative tool. As a Sex Offender Coordinator for your agency, remember, the more data you collect the

more information is available for use in future investigations. State law requires you to enter specific information but it does not limit you from collecting additional data. Further, collection of additional data complies with the requirements of SORNA.

Basic Items which should be followed by all agencies statewide:

- ALL ENTRIES IN OFFENDER WATCH SHOULD BE IN CAPS.
- STATIC 99R scoring sheets and departure forms should be scanned and entered into Offender Watch, along with any other available documents regarding the offender.
- RSOs who are relieved of the duty to register to be tracked under “registration expired”. This entry is located on an offenders main page, General tab, *Status field.
- RSOs in local jails to be tracked as “active-in local jail”. This entry is located on an offenders main page, General tab, *Status field. Offenders’ in prison (DOC) should be marked “inactive-incarcerated” and left posted.
- RSO’s who have absconded remain “active-non-compliant.”
- RSOs whose sex conviction is vacated must be deleted from Offender Watch. Note: Do not delete any other offenders, including those with sealed records.
- RSO’s who are deported to be tracked as “inactive-Deported”. This entry is located on an offenders main page, General tab, *Status field.
- Posting Failure to Register in Offender Watch – only Class “B” felony and second Class “C” felony FTR offenses are registrable. All other FTR offenses should be posted in notes. A third or subsequent felony FTR is a class “B” felony for crimes committed on or after 6/10/10 (RCW 9A. 44.132(1)(b). A first or second FTR is still a class “C” felony.
- Kidnapping Offenders -RCW 4.24.550(5)(a) requires all kidnapping offenders be posted on the public web site. RCW 4.24.550(5)(a)(iii) For kidnapping offenders, the web site shall contain, but is not limited to, the same information and functionality as described in (a)(i), (SAME REQUIREMENTS AS A LEVEL 3 Offender get posted) 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. There is no guidance on verification SONAR committee consensus is annually unless you have reason to believe more supervision is required.
- Never delete imported records and reports.
- When asking an offender for information and they indicate none, enter “none reported” in that field. I.E. Are you going to school? “No, as an answer” should indicate “none reported” in the school field.
- When an offender moves to your jurisdiction continue to use the last agency’s “level” until you have completed a full review.
- Deceased offenders should be marked as “inactive---deceased” and unpublished from the website.

Deceased should also be entered in the address field. This entry is located on an offenders main page, General tab, *Status field. The address change to deceased is entered under the address/ phone tab, both the current and primary boxes should be checked. WSP should be notified using the “relieved of duty” form. Any supporting documentation should be sent with the form and uploaded into OffenderWatch.

- When aggravating or mitigating an offender the best practice is to review the scoring tool. If the level is changed at that point, provide written explanation for the factors in determining the change in level on the Change Form and submit to the last agency and WSP SORsubmissions@wsp.wa.gov. Right click on the offenders in the main agency search window. Scroll over “reports” select the “WSP change form.”

Address Verification Requirements:

- Level I Offenders: Every 12 months.
- Level II Offenders: Every 6 months.
- Level III Offenders: Every 3 months.
- Transient Offenders: In-person weekly.
- Remember to document in the verification tab in OffenderWatch or update with the mobile app

Right click on the offender’s name in the search list, and then click on “edit verification.” Select the appropriate cycle, i.e. annual, semi-annual, 90-day or transient. These are the four choices used in Washington.

It is strongly advised that address verifications be done during normal business and early evening hours. Late night verifications do not instill a willingness to cooperate with law enforcement and could be considered harassment.

Entering Addresses (Offenders in Custody, Transient, or Out-of-State):

- Leave street number field blank. Do not use 000 in Street # or it will not show “initial block of” on the website.
- Below is the agreed upon entry format for the above items:

<u>Street Address</u>	<u>City</u>
TRANSIENT	COUNTY NAME
FAIL TO VERIFY	COUNTY NAME
INMATE – DOC	COUNTY NAME
INMATE – JRA	COUNTY NAME
INMATE – JAIL	COUNTY NAME
OUT OF STATE	STATE NAME

- Enter street types using US Postal designations, i.e. AVE, BLVD, CT, DR, LN, ST, WAY, RD
- Apartment, unit, suite numbers must be entered in the apartment field. Do not enter the apartment number in the address field. The address field includes the street name and address number only. IE 141---B Main St should be entered as “141 Main St” in the address field and “B” in the apt field.

Publishing Information:

Note: The publish check box is located on an offenders main page, on the general tab and the text next to the box is in red.

- Transient, Out-of-Compliance - Check the publish box for Level I offenders who are transient or non-compliant. Level I offenders are blocked from publication on the public website unless this box is checked. If you check a Level I offender who would not be published, the information is blocked from the website, but an e-mail with no information would go out to anyone registered. The e mail component is triggered as needed to send the data to other law enforcement agencies.
- Tribal RSOs - Process sex offenders convicted in tribal court the same as out-of-state offenders. Remember to notify RSO of the obligation to register with the tribe if they live, work or go to school on tribal lands.
- Lives in one county but works or goes to school in another - Radial notifications should always go out for residency. LE in the county of employment or school may do a radial notification based on the address where the RSO may regularly be found, i.e. place of employment, school.
- Out-of-area posting - When an offender moves out of state, they are shown as "inactive, out-of-area" in Offender Watch, but are not published on the website.

US Marshal's Notification:

Under the Adam Walsh Act, the United States Marshals Service (USMS) has a responsibility to assist their state/local partners with the identification, investigation and prosecution of non-compliant sex offenders. Additionally, if that offender has absconded and travels in interstate commerce, the USMS can seek prosecution of that offender under 18 USC 2250.

The following should serve as a guide when sending a USMS alert through OffenderWatch®:

1. Upon discovery that an identified non-compliant sex offender may have absconded.
2. When sending an alert to the USMS, please provide as much information as possible in both the alert and offender record.

Any other information pertaining to the relocation of an offender should be sent to the appropriate sex offender registry office.

Marshal notification is completed by checking the box in the "Alert US Marshal's" field on an offenders main page, general tab. Fill in the requested information on the pop-up window and click "alert"

Leveling, Changes in Leveling, Changes in Registration Requirements:

- Use the STATIC-99R risk classification tool when scoring adult offenders and the Washington State Sex Offender Risk Level Classification (WSSORLC) tool when scoring juvenile offenders. Use the cover sheet with the scoring tool when leveling an offender and enter both into OffenderWatch.

- If the level of an RSO's scored by JRA, DOC or DSHS upon release is changed by the receiving agency, a "departure notice" must be completed and submitted to the appropriate agency and a change form submitted to Washington State Patrol. Departure notices are not required for changes when offenders move from county to county, or into Washington from another jurisdiction. However, the last agency and WSP need to be notified of the change. Remember, best practice is to review the scoring tool. If the level is changed at that point, provide written explanation for aggravating or mitigating factors in determining the change in level on the Change Form and submit to the last agency and WSP SORsubmissions@wsp.wa.gov.
- When an RSO with a 10 or 15 year registration requirement has "timed out" then either upon request or at agency discretion, the LE agency should run a criminal history and check to see if the offender has had any new disqualifying offense convictions. If none and the person is eligible for relief, a WSP Relieved of Duty form is completed and submitted. In counties with oversight committees, the committee chairperson should sign off the form. Documentation should be added to the agency file and notification provided to the offender. Right click on the offenders name in the agency search window. Move the mouse over "reports" and click on the relief of duty report. Open in word and after completing send to WSP.
- When an RSO with lifetime registration meets the criteria and requests to be relieved of the duty to register, a petition must be submitted to the court. Petition forms are available on www.courts.wa.gov may be used as a model of an informational sheet given to registered sex and kidnapping offenders on how to petition the court to be relieved of the requirement to register.

Legal Name Changes:

Current federal and state laws do not prevent offenders from legally changing their names. However, these changes do not relieve the offender from their duty to register. When an offender provides court documents supporting a legal name change the following are the recommended best practices:

- To add a new name only as an alias, send in the court documents to the WSP. Court ordered name changes do not change the master name on the WSP record. The master name is the name given on the first retainable set of fingerprints the WSP entered to our database.
- To change the offender's name on the WSP SOR registry (which does not affect the master name) you will need to send a new completed fingerprint card and a color photo. The name given on the most current registration will appear on the registry and all names given on a fingerprint registration card will appear in the alias section of the WSP criminal history record information (CHRI).
- Update OffenderWatch. The offender's name and if applicable (transgender persons) gender should be updated to reflect the new information. A new picture and all court records should be uploaded. Investigative notes should be included which explain the change and any other relevant information. Include the offenders prior legal name in the alias section. Update physical description if this has changed, remember to include details like wears colored contact lenses in the other characteristics section.
- Explain the offenders continued duty to register as required by law and provide them with a new notification of registration form, obtain all signatures and initials, once complete scan and upload this information into OffenderWatch.

Reminder—RSO Leveling Reductions

Many counties are responding to requests from RSOs to lower their risk level after they have been in the community for a substantial period of time. Although there is no requirement in law that these requests be considered, it often makes sense given the length of time that sex offenders are required to register. In the Sex Offender Resource Center on the WASPC webpage under Documents and Sample Forms, there is an example form for this request. Again, many of the counties that are responding to these requests have a multidisciplinary team to review the application, so it is a shared decision. The reasoning for the lowering of the risk level is then documented. Having these types of procedures in place protect the agency from liability.

JBRS Watches:

Watches—Watches allow users to continually monitor the database for new data that matches criteria they are interested in. To utilize the Watch function, you must have a valid email address in your profile. When the system has a hit, you will be emailed.

Person Watches—The system has the ability to watch for new records on a specific person. You can specify the person's criteria and the type of records to watch. The system will notify you via email when a match is found. The types of records vary based on your state, agency and user level, but can include arrests, bookings, incidents, traffic citations, warrants, precursor logs, death master records, visitor logs, Interstate Compact Transfer Cases, sex offender registrations, and other watches.

Managing Watches—To create a new watch, from the Watch menu option choose Add Person Watch or Add Vehicle Watch, then enter your watch criteria in the criteria form and 'Save' it. The criteria form will show the last criteria used by default.

View Watch (link) - Displays the details of the watch.

Edit Watch (link) -Allows you to edit the criteria of the watch.

Extending Your Watches—Set your RSO's for a one per year watch. But, then on a set date of the year, i.e., January 5, go into JBRS, click on the Watch tab, then click on View Watches. This will give you a list of all the offenders on your watch list. On the right hand side of the page are check boxes. At the top is one called Select All, check that. Then hit the drop down menu in "Select Action" and click on "extend 12 months.

Additional Resources:

WASPC

- Jamie Yoder, Member Outreach and Programs Manager
- Phone: 360-486-2419
- Email: jyoder@waspc.org
- Web: <http://www.waspc.org/rso-resource-center>

OffenderWatch

- Phone: 1-888-WATCH 12
- Web: <http://watchsystems.com/>

The following help videos are available inside OffenderWatch under the help tab inside the online help manual.

- [Logging into OffenderWatch](#)
- [Adding new offenders](#)
- [Managing Verifications Creating reports](#)
- [Searching in response to crimes](#)

Appriss:

- Phone: 1-866-277-7477, option #2
- Web: <https://apprissjusticexchange.zendesk.com/hc/en-us/requests/new>

Facebook Links:

- Report Abuse: <https://www.facebook.com/help/359033794168099/>
- Law Enforcement: <https://www.facebook.com/help/473784375984502/>