Model Guide to Community Notification
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. If a different level is assigned, complete 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. (See example Appendix II).

Offender notification flyers and postcards generally contain offender specific information including the offender’s photo and approximate residence 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.**

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**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 offender: 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. RCW 9A.44.130, RCW 4.24.550(3)

2. Level II sex offender: 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 offender: follow level II notification guidelines PLUS the agency is authorized to release relevant, necessary, and accurate information to the public at large including publishing in at least one legal newspaper with general circulation in the area of the sex offender’s registered address or location; updating the public registered sex offender website whenever there is a change in information. RCW 4.24.550(4)

(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. This is usually done by posting the information on the public registered sex offender website. RCW 4.24.550(4)

(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:
  
  o Understanding that community notification is the responsibility of law enforcement.

  o 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.

  o 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.

  o 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.

- Juvenile sex offender attending school:
  
o Law enforcement is required to promptly notify the school district and the principal or department of public safety when a student required to register as a level I, II or III sex offender is enrolling in or is attending their school. The information given must include: name, complete residence address, date and place of birth, place of employment, crime for which convicted, date and place of conviction, aliases used, social security number, photograph and risk level. If the person does not have a fixed residence, the information must include where the offender plans to stay. RCW 9A.44.130.
  
o 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.
  
o The principal will then disclose the information received from the sheriff under the guidelines established by the Superintendent of Public Instruction.
  
o 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 13.40.160.

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

Mail, e-mail, fax or hand deliver bulletins to child care 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 child care 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 child care 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.

DSHS licensed adult facilities can be searched by zip code at the following links:

Adult Family Homes – www.aasa.dshs.wa.gov/lookup/AFHRequestv2.asp
Boarding Homes – www.aasa.dshs.wa.gov/lookup/BHRequestv2.asp
Nursing Homes – www.aasa.dshs.wa.gov/Professional/NFDir/directory.asp

Child care 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 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

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.

Victim Service Providers: Provide safety, prevention, and community empowerment information.

(b) 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.

(c) School Personnel: School personnel may provide specific information regarding the school's response if the offender is or will be attending school.

(d) 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.”

SEX OFFENDER MONITORING

County sheriffs refer to the Washington State Patrol’s Sex/Kidnapping Offender Registration Guideline Manual. The guideline is available in hard copy from the Washington State Patrol, Identification and Criminal History
Reporting Requirements

Law Enforcement shall make reasonable attempts to verify that an offender is living at the registered address including verifying an offender’s address following the address verification program grant requirements. If the sheriff or police chief or town marshal does not participate in the grant program, reasonable attempts require a yearly mailing by certified mail with return receipt requested, a non-forwardable verification form to the offender at the offender’s last registered address sent by the chief law enforcement officer of the jurisdiction where the offender is registered to live. For offenders who are designated as sexually violent predators, the mailing must be sent every 90 days. (RCW 9A.44.130) Sheriffs and chiefs may enter into agreements to delegate the authority and obligation to fulfill the minimum address verification requirements.

Registered sex and kidnapping offenders with fixed residences

Law Enforcement is required by the address verification grant program to conduct face-to-face address verification once a year for level I registered sex and kidnapping offenders, semi-annually for level II offenders and quarterly for level III offenders.

Homeless offenders

- All homeless sex offenders, regardless of level, must report in person to the sheriff of the county where he or she is registered. The person must keep an accurate accounting of where he or she stays during the week and provide it to the county sheriff upon request.
- Must report during business hours on a day set by the sheriff’s office
- Lack of a fixed residence may be a factor considered in determining an offender’s risk level and subject to community notification procedures

Photos

- Photos may be taken at any time to update an offender’s file especially when there is a change in address if there has been a substantial change in appearance.
NOTIFICATION CHECKLIST

**Daily as Needed:**

- [ ] Receive state bulletin from DOC, DSHS, or JRA
- [ ] Review offender risk level or complete risk level assessment for those not releasing from DOC or DSHS.
- [ ] Assign offender risk level provided or reassign level and complete the required Departure Notice then forward as required
- [ ] Determine Scope of Danger (Level I, II, or III)
- [ ] Determine scope of dissemination and provide required dissemination:

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<tr>
<th>Dissemination Required</th>
<th>Level I</th>
<th>Level II</th>
<th>Level III</th>
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<tr>
<td>Other Law Enforcement Agencies</td>
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<td>Principals and School Districts (if there is a juvenile offender in their school)</td>
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<td>Sexual and Kidnapping Offender notebook located in agency and available for public review upon request</td>
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<td>Victims and witnesses upon request</td>
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<td>Individual Community members living near an offender's residence, where the offender expects to reside or is regularly found, upon request</td>
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<td>Schools</td>
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<td>Businesses and organizations serving primarily children, women and/or vulnerable adults</td>
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<td>Neighbors and community groups near the residence where the offender resides expects to reside or is regularly found</td>
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**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.