

Registered Offender Information

327.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Louisville Police Department will address issues associated with certain offenders who are residing in the jurisdiction and how the Department will disseminate information and respond to public inquiries for information about registered sex offenders.

327.2 POLICY

It is the policy of the Louisville Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

327.3 REGISTRATION

The Detective Section supervisor shall establish a process to reasonably accommodate registration of certain offenders. The process should rebut any allegation on the part of the offender that the registration process was too confusing, burdensome, or difficult for compliance. If it is reasonable to do so, an investigator assigned to related investigations should conduct the registration in order to best evaluate any threat the person may pose to the community. Employees assigned to register offenders should receive appropriate training regarding the registration process.

Upon conclusion of the registration process, the investigator shall ensure that the registration information is provided to the Colorado Bureau of Investigation (CBI) (CRS § 16-8-115; CRS § 16-13-903; CRS § 16-22-109; CRS § 16-22-110).

The refusal of a registrant to provide any of the required information or complete the process should initiate a criminal investigation for failure to register.

327.3.1 CONTENTS OF REGISTRATION

The registrant shall be required to complete the registration form(s) provided by CBI.

Registration by a person who lacks a fixed residence shall be accepted unless it includes a location that would violate state law or local ordinance. The registrant shall be advised of any such violation and allowed five days to secure an alternate location (CRS § 16-22-108).

327.3.2 WAIVERS OF IN-PERSON RE-REGISTRATION

The Detective Section supervisor should (CRS § 16-22-108):

- a. Establish procedures for determining whether a registrant is eligible for a waiver under CRS § 16-22-108.
- b. Submit verification forms to CBI and other applicable law enforcement agencies.
- c. Review existing waivers to confirm registrants still meet eligibility requirements for the waiver.
- d. Notify victims, upon request by the victim, that a waiver has been authorized.

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327.3.3 AUTOMATIC TERMINATION OF REGISTRATION

The Detective Section supervisor or the authorized designee shall notify a registrant whose duty to register has automatically terminated under CRS § 16-22-103 of the termination upon attempt to register. The Detective Section supervisor shall remove the registrant from the registry and notify CBI of the termination (CRS § 16-22-108).

327.4 MONITORING OF REGISTERED OFFENDERS

The Detective Section supervisor should establish a system to periodically, and at least once annually, verify that a registrant remains in compliance with his/her registration requirements after the initial registration. This verification should include:

- a. Confirmation of a registrant's residence by having an officer contact the registrant at the residence to verify compliance.
- b. Review of information on CBI's Convicted Sex Offender Registry website.
- c. Contact with a registrant's parole or probation officer.

Any discrepancies should be reported to the Detective Section supervisor.

The Detective Section supervisor should also establish a procedure to routinely disseminate information regarding registered offenders to Louisville Police Department personnel, including timely updates regarding new or relocated registrants.

327.4.1 MANDATORY CONFIRMATION

Following a registrant's first registration with the Department, the residence verification referenced above shall occur as soon as possible after the registration and annually thereafter. Residence confirmation shall occur quarterly if the registrant is a sexually violent predator (CRS § 16-22-109).

327.5 DISSEMINATION OF PUBLIC INFORMATION

Employees will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Employees who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisors. The supervisor should evaluate the request and forward the information to the Chief of Police or the authorized designee if warranted. A determination will be made by the Chief of Police or the authorized designee, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Members of the public requesting information on registrants should be provided with CBI's Convicted Sex Offender Registry website.

The Administrative Services Manager shall release local registered offender information to residents in accordance with state law (CRS § 16-22-112; CRS § 24-72-301 et seq.) and in compliance with a Colorado Criminal Justice Records Act request.

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327.5.1 RELEASE NOTIFICATIONS

Sex registrant information that is released shall include the written statement: "The Colorado sex offender registry includes only those persons who have been required by law to register and who are in compliance with the sex offender registration laws. Persons should not rely solely on the sex offender registry as a safeguard against perpetrators of sexual assault in their communities. The crime for which a person is convicted may not accurately reflect the level of risk." (CRS § 16-22-112(5))

327.5.2 MANDATORY DISSEMINATION

The Department shall release local sex offender information to residents in accordance with Colorado law and the rules set forth by CBI. Information released shall include, at a minimum, the name, address or addresses, and aliases of the registrant; the registrant's date of birth; a photograph of the registrant, if requested and readily available; and the offense that led to the registration requirement and the date of the offense (CRS § 16-22-110; CRS § 16-22-112). Information concerning victims shall not be released.

The Department will also make the mandated community notifications regarding sexually violent predators. These community notifications shall only occur under the circumstances and in the manner specified by the Colorado Department of Public Safety's Sex Offender Management Board (SOMB) (CRS § 16-13-904; CRS § 16-13-905; CRS § 16-13-906).

327.5.3 DISCRETIONARY DISSEMINATION

The Department may also provide local sex offender information to any other person the Department determines warrants notification as permitted by law. If the Department elects not to release registrant information to a non-resident, the Department may submit a request from the non-resident to CBI (CRS § 16-22-112).

327.5.4 INFORMATION AVAILABLE VIA THE INTERNET

The Department may post the following registered offender information on its website only if the person is adjudicated or convicted of the offenses in CRS § 16-22-112:

- a. Offender information, including the offender's name or aliases, photograph, sex, height, weight, name, address and offenses committed, as allowed by law
- b. Educational information concerning protection from sex offenders that has been developed in conjunction with SOMB and a sexual assault victims' advocacy group, or a link to educational information included on the CBI website
- c. A link to the National Sex Offender Public Website
- d. A link to the CBI Convicted Sex Offender Registry website
- e. A link to other law enforcement agencies

327.5.5 PURGE OF LOCAL SEX OFFENDER REGISTRY

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When a court order discontinuing a registrant's duty to register is received by the Department, the Detective Section supervisor shall ensure that the registrant's registration information is removed from the department local sex offender registry (CRS § 16-22-113).

327.6 NOTIFICATION PRIOR TO RELEASE OR DISCHARGE

Notification of a registrant's release on parole will be made by the sentencing court, the probation department, community corrections, the county jail or the Colorado Department of Corrections (CDOC) (CRS § 16-22-106; CRS § 16-22-107).

Prior to registrants being discharged from the CDOC, this department shall verify that (CRS § 16-22-107 (4)(a)):

- a. The address provided by the person is a residence.
- b. The occupants or owners of the residence know of the person's history of unlawful sexual behavior.
- c. The occupants or owners of the residence have agreed to allow the person to reside at the address.
- d. If the registrant is being released on parole, the address complies with any conditions of the parole.

If any of the information required for verification is not true, the Department shall notify the CDOC that the person provided false information concerning the address at which he/she intends to reside (CRS § 16-22-107(4)(b)).

327.6.1 CONFIDENTIAL INFORMATION

The forms completed by persons required to register pursuant to Colorado law shall be confidential and shall not be open to inspection by the public or any person other than law enforcement personnel except as provided by law (CRS § 16-22-109(4)).

