SEXUAL OFFENDER COMMUNITY NOTIFICATION GUIDELINES
R.I. GENERAL LAWS §11-37.1-1 ET SEQ.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

RHODE ISLAND PAROLE BOARD
SEX OFFENDER COMMUNITY NOTIFICATION UNIT

SEX OFFENDER BOARD OF REVIEW 2011

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OFFICE OF ATTORNEY GENERAL OF RHODE ISLAND

SEXUAL OFFENDER COMMUNITY NOTIFICATION GUIDELINES

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INTRODUCTION

SCOPE

This policy is intended to ensure that all law enforcement agencies comply with the requirements of Rhode Island General Laws §11-37.1-1 et seq., to provide for the registration of juvenile and adult sexual offenders living in Rhode Island or relocating here from another jurisdiction, and to provide community notification relative to the release of juvenile and adult sexual offenders living in or relocating to Rhode Island.

The Community Notification Provisions of R.I. General Laws §11-37.1 et seq., shall apply to all those juvenile and adult offenders who committed a sexually violent offense on or after July 24, 1996, and who are determined to be at low risk, moderate risk or high risk of re-offense.

POLICY

By enacting the Sexual Offender Registration and Community Notification Act, R.I. Gen. Laws §11-37.1-1 et seq., the State of Rhode Island supports the policy that if members of the public are provided adequate notification and information about a sex offender who has been or is about to be released from custody and who lives or will live in or near their neighborhood, the community can develop constructive plans to prepare themselves and their children for the offender's release.

In order to implement this policy, it is the policy of this agency to facilitate the registration of sexual and other predatory offenders. It is further the policy of this agency to provide community notification relative to the release of those offenders as designated by statute, while preserving the legal rights of those offenders.

It is the policy of this agency to provide the maximum information authorized by law, consistent with the requirements of public safety.

STATUTORY AUTHORITY

R.I. General Laws §11-37.1-1 et seq., Sexual Offender Registration and Community Notification Act

PART I DEFINITIONS

Section 1.0 Definitions

Wherever used in these Guidelines, the following terms shall be construed as follows:

1.1 The terms "Board", "Board of Review" and "Sex Offender Board of Review", shall mean the "BOR" appointed by the governor pursuant to the RI General Laws §11-37.1-1 et seq.

1.2 The term "Sex Offender Community Notification Unit" shall mean the SOCN Unit whose duty and authority is set forth in RI General Law 11-37.1-1 et seq.

1.3 Law Enforcement Agency:

1.3.1 For the purpose of community notification, a law enforcement agency is defined as the agency having primary jurisdiction over the location where the offender expects to reside upon release, and/or where the offender is likely to be encountered.

1.3.2 For all other purposes under this policy, the definition of law enforcement agency includes all agencies which carry on a law enforcement or prosecutorial function including, but not limited to, local, state and federal agencies; and parole, probation and court services agencies.

1.4 The term "sexually violent offense" shall mean and include any violation of RI Gen Laws §11-37-2, §11-37-4, §11-37-6, §11-37-8, §11-37-8.1, §11-37-8.3, §11-5-1 and §11-23-1 or any offense in another jurisdiction which is substantially the equivalent of any offense listed in this subsection and for which the person is or would be required to register under 42 USC §14071 or 18 USC Section 4042 (c).

1.5 The term "sexually violent predator" shall mean a person who has been convicted of a sexually violent offense and who suffers from a mental abnormality or personality disorder that makes the person likely to engage in predatory sexually violent offenses.

1.6 The term "mental abnormality" shall mean a congenital or acquired condition of a person that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal acts to a degree that makes the person a menace to the health and safety of another person.

1.7 The term “personality disorder” shall mean any personality disorder, or combination of personality disorders, as described and defined in the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition (“DSM-IV”).

1.8 The term “predator” shall mean a person whose act(s) is (are) or was (were) directed at a stranger, or at a person with whom a relationship has been established or promoted for the primary purpose of victimization. The definition includes those offenders who have a pre-existing familial relationship with a victim or victims.

1.9 The term “conviction” or “convicted” shall mean and include any instance where:

1.9.1 A judgment of conviction has been entered against any person for an offense specified in RI General Laws §11-37.1-2, regardless of whether an appeal is pending; or

1.9.2 There has been a finding of guilty for any offense specified in RI General Laws §11-37.1-2, regardless of whether an appeal is pending; or

1.9.3 There has been a plea of guilty or nolo contendere for any offense specified in RI General Laws §11-37.1-2, regardless of whether an appeal is pending; or

1.9.4 There has been an admission of sufficient facts or a finding of delinquency for any offense specified in RI General Laws §11-37.1-2, regardless of whether an appeal is pending.

Provided, however, in the event that a conviction, as defined in this paragraph, has been overturned, reversed or otherwise vacated, the person who was the subject of such conviction shall no longer be required to register as required by RI General Laws §11-37.1-1 et seq., and any records of such registration shall be destroyed. Provided further that nothing herein shall be construed to eliminate a registration requirement of a person who is again convicted of an offense for which registration is required by RI General Laws §11-37.1-1 et seq.

1.10 The term “likely to encounter” means the following:

1.10.1 Level II Community Notification – (1) the organizations that are in a location or in close proximity to a location where an offender lives or is employed, attends school or university, or which an offender visits or is likely to visit on a regular basis, other than the location of the offender’s outpatient treatment program; and (2) the types of interaction which ordinarily occur at that location and other circumstances indicate that contact with an offender is reasonably certain.

1.10.2 Level III Community Notification – (1) the individuals and organizations that are in a location or in close proximity to a location where an offender lives or is employed, attends school or university, or which an offender visits or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program; and (2) the types of interaction which ordinarily occur at that location and other circumstances indicate that contact with an offender is reasonably certain.

1.11 Day Care Establishments: An establishment licensed by the State of Rhode Island or its agents, to provide day care services for children.

1.12 Public and Private Educational Institutions: Early childhood facilities (nursery school, pre-kindergarten and kindergarten), elementary, middle, secondary and post-secondary educational institutions authorized or licensed by the State of Rhode Island.

1.13 Risk Level Assessment: That level of danger to the community established by the Sex Offender Board of Review. There are three risk levels:

1.13.1 Level I- Risk Level I is a sexual offender whose risk assessment indicates a low risk of re-offense.

1.13.2 Level II- Risk Level II is a sexual offender whose risk assessment indicates a moderate risk of re-offense.

1.13.3 Level III – Risk Level III is a sexual offender whose risk assessment indicates a high risk of re-offense.

1.14 "Parent" means a parent of a student and includes a natural or adoptive parent, a guardian, or an individual acting as a parent in the absence of a parent or a guardian.

1.15 "Offenders in Custody" shall mean those juvenile and adult offenders who are incarcerated or will be incarcerated at the Adult Correctional Institution, RI Department of Corrections or at the state juvenile correctional facility, the RI Training School for Youth, on or after the effective date of these Guidelines.

1.16 "Agency having custody" shall mean the RI Department of Corrections and the Department of Children, Youth and Families.

1.17 "Agency having control and supervision" shall mean the Department of Corrections, Office of Probation and Parole and the Department of Children, Youth and Families, Office of Juvenile Probation and Parole.

1.18 "Non-Incarcerated Offenders" mean:

1.18.1 Those juvenile and adult offenders who have been convicted of a sexually violent offense after juvenile adjudication or trial, but whose sentence has not yet been imposed or whose appeal is pending;

1.18.2 Those juvenile and adult offenders who plead guilty or nolo contendere to a sexually violent offense, but whose sentence has not yet been imposed or whose appeal is pending;

1.18.3 Those juvenile and adult offenders who were convicted of a sexually violent offense and who received a suspended sentence with probation;

1.18.4 Those juvenile and adult offenders who were convicted of a sexually violent offense and who received straight probation or whose sentence was deferred;

1.18.5 Those juvenile and adult offenders who were convicted of a sexually violent offense and who were sentenced to a term in a juvenile correctional facility or adult correctional facility but who have received credit for time served;

1.18.6 Those adult offenders moving into Rhode Island from another jurisdiction, who were convicted of a sexually violent offense and who are now under the control and supervision of the Rhode Island Department of Corrections, Office of Probation and Parole;

1.18.7 Those juvenile offenders moving into Rhode Island from another jurisdiction, who were convicted of a sexually violent offense and who are now under the control and supervision of the Rhode Island Department of Children, Youth and Families, Office of Juvenile Probation and Juvenile Parole; and

1.18.8 Those juvenile and adult offenders who have received a sentence of incarceration upon conviction of a sexually violent offense, but who were released from custody before the effective date of these Guidelines.

1.19 The term "sentencing court" as used in these Guidelines regarding juvenile sex offenders, means the Family Court and any of its justices, including, but not limited to, the trial judge presiding over the adjudication which resulted in the juvenile's conviction of the sexually violent offense.

1.20 The term "sentencing court" as used in these Guidelines regarding adult sex offenders, means the Superior Court and any of its justices, including, but not limited to, the trial judge presiding over the trial which resulted in the adult offender's conviction of the sexually violent offense.

PART II DUTIES OF THE SEX OFFENDER BOARD OF REVIEW, PAROLE BOARD AND LAW ENFORCEMENT

OFFENDERS IN CUSTODY

Section 2.0 Duties of the Sex Offender Board of Review

2.1 The agency having custody of the sexual offender shall refer such person to the Board of Review, together with any reports and documentation as may be helpful to the board, for a determination as to whether or not such person is possessed of a mental abnormality that affects the emotional or volitional capacity of the person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.

2.2 The agency having custody of the sexual offender, on the date of commitment or within a reasonable time of the commitment date and prior to the offender's release from confinement, shall refer said offender to the Board of Review, together with any reports and documentation as may be helpful to the board, or a determination as to whether or not such person is possessed of a mental abnormality that affects the emotional or volitional capacity of that person in a manner that predisposes that person to the commission of criminal sexual acts to a degree that makes the person a menace to the health and safety of other persons.

2.3 The Board shall, within thirty (30) days of such a referral of a person, obtain any and all evidence and documentation sufficient to aid the court in its determination as to whether or not a person convicted of an offense specified in §11-37.1-2 is a sexually violent predator and shall forward such evidence and documentation to the sentencing court along with a report of its findings.

2.4 Upon forwarding a report of its findings with supporting documentation to the sentencing court, the Board shall also forward the same information to the Attorney General. The Attorney General, or his designee, shall request a scheduling date from the court clerk for the court's review and determination of an offender's sexually violent predator status and shall provide the court with adequate advance notice of the date by which the BOR must receive the court's decision.

2.5 The Board of Review shall use an objective scientifically validated and reliable risk assessment instrument as an aid in determining whether an offender has the characteristics of a "sexually violent predator". If the Board finds such characteristics, the BOR shall ask the Parole Board psychiatrist to conduct a sexual offender evaluation to determine if the offender has a mental abnormality or personality disorder that makes a person likely to engage in predatory sexually violent offenses.

2.6 Any offender who is determined by a court to be a “sexually violent predator” must register until such time as a court decides the offender is no longer a “sexually violent predator”.

2.7 The offenses specified in RI General Laws §11-37.1-1 are:

§11-1-10 Soliciting an Incompetent Person, where the underlying offense is a violation of Chapter 34 and the victim or person solicited is under the age of eighteen (18) years.

§11-5-1 Assault with Intent to Commit First Degree Sexual Assault (Date of Offense on or after 7-1-99)

§11-9-1(b) or (c) Exploitation For Immoral Purposes

§11-9-1.3 Child Pornography

§11-23-1 Murder; where the murder was committed in the commission of , or attempted commission of, rape or any degree of sexual assault or child molestation (Date of offense on or after 7-1-99)

§11-26-1.4 Kidnapping or false imprisonment of a minor

§11-26-2 Kidnapping with Intent to Extort, where the victim of the offense is sixteen (16) years of age or older and under the age of eighteen (18)

§11-26-1.5 Enticement of Children

§11-37-1.10 Failure to Register/Verify Address

§11-37-2 First Degree Sexual Assault

§11-37-4 Second Degree Sexual Assault

§11-37-6 Third Degree Sexual Assault

§11-37-8 Assault with Intent to Commit First Degree Sexual Assault (Date of Offense on or after 7-1-99)

§11-37-8.1 First Degree Child Molestation

§11-37-8.3 Second Degree Child Molestation

§11-37-8.8 Indecent Solicitation of a Child

§11-64-2 Video Voyeurism (Victim Under 18)

Section 3.0 The Duties of the Sex Offender Board of Review

3.1 The sentencing court shall report its determination of sexually violent predator status to the Board of Review and the Sex Offender Community Notification Unit. Upon receipt of the court's determinations, the Board of Review is required to provide a report of its findings concerning the sexually violent predator status, or lack thereof, of every sexual offender referred to them by the agency having custody of the offender and all relevant information underlying the determination.

3.2 The sentencing court shall report its determinations of sexually violent predator status to the Board of Review and the Sex Offender Community Notification Unit prior to the offender's release from confinement or within a reasonable time from the offender's release from confinement or probation with a suspended sentence.

3.3 The Board of Review shall determine the appropriate level of community notification for each sexual offender. A good faith effort shall be made to complete the determination at least fourteen (14) days before the sexual offender is released from confinement or is accepted for supervision.

3.4 In determining the appropriate level of risk of re-offense for each offender the Board of Review shall consider the risk factors set forth in RI General Laws §11-37.1-1 et seq.

3.5 The Board of Review shall use a scientifically validated and reliable objective risk assessment instrument in order to make their respective determinations. The Board of Review may consider the results of a risk assessment instrument conducted by the Sex Offender Community Notification Unit, or the agency having custody and supervision regarding a particular sex offender, in lieu of conducting its own risk assessment instrument for that offender.

3.6 The Board of Review shall decide the appropriate level of community notification for each offender, based on their determination of each offender's level of risk of re-offense.

a) Low risk of re-offense corresponds with a Level I Community Notification level.

b) Moderate risk of re-offense corresponds with a Level II Community Notification level.

c) High risk of re-offense corresponds with a Level III Community Notification level.

3.7 The SOCN Unit shall assist the Law Enforcement Agency with jurisdiction over the area in which the offender is expected to reside (hereafter the "primary" Law Enforcement Agency) in the primary Law Enforcement Agency's creation of an Offender Fact Sheet, by providing the primary Law Enforcement Agency with all relevant information concerning the offender before the offender is released from custody. The primary Law Enforcement Agency shall notify and assist the Law Enforcement Agency with jurisdiction over the area where the offender is Employed, by providing the Offender Fact Sheet and all other relevant information concerning the offender.

3.8 If the Board of Review determines that the risk of re-offense by the sexual offender is within moderate or high levels, the Sex Offender Community Notification Unit shall notify the person in writing, by letter, or other documentation:

3.8.1 That Community Notification will be made not less than ten (10) business days from the date of the letter or other document evidencing an intent to promulgate a Community Notice in accordance with RI General Laws §11-37.1-11 et seq., together with the level form, the nature that such notification will take, and will include the following information:

3.8.2 That an application for review of the action is filed within the time specified by the letter or other documentation, which in any case shall be not less than ten (10) business days, by the person subject to the Community notification, with the criminal calendar judge of the Superior Court of the county in which the person who is the subject of the notification resides or intends to reside upon release, whose name shall be specified in the letter or other document, requesting a review of the determination to promulgate a Community Notification, that notification will take place.

3.8.3 That the person subject to Community Notification file an application for review; and

3.8.4 That the person has the right to be represented by counsel of their own choosing or by an attorney appointed by the court, if the court determines that he or she cannot afford counsel; and

3.8.5 That the filing of an application for review may be accomplished, in the absence of counsel, by delivering a letter objecting to the notification and/or its level, form or nature, together with a copy of the letter or other documentation describing the proposed community notification, addressed to the judge described in the communication to the clerk of the Superior Court/Family Court in the county in which the person resides or intends to reside upon release.

See RI General Laws §11-37.1-1 et seq. A sample Notice to Level II and Level III Offenders is included in the Appendix.

3.9 The Sex Offender Community Notification Unit shall send a copy of the Notice to Level II and Level III Offenders to the primary Law Enforcement Agency.

3.10 All law enforcement agencies shall submit their general community notification plans to the Sex Offender Community Notification Unit for approval at the beginning of each new year. The Sex Offender Community Notification Unit shall review each law enforcement agency's Level II and Level III community notification plans for consistency across law enforcement agencies and for compliance with these Guidelines.

Section 4.0 Duties of Law Enforcement Agencies

4.1 The primary Law Enforcement Agency shall establish a specific notification plan that shall be consistent with the level of Community Notification established by the Board of Review. The primary Law Enforcement Agency shall establish the plan before the offender is released from custody or placed on probation. The community notification plan shall include the preparation of an Offender Fact Sheet.

4.2 Offender Fact Sheet – An offender fact sheet shall, at minimum, include:

4.2.1 The date the fact sheet was issued;

4.2.2 The Law Enforcement Agency responsible for implementing the Community Notification consistent with the fact sheet;

4.2.3 Legal authority under which the fact sheet was prepared;

4.2.4 A method of contacting the Law Enforcement Agency for further information;

4.2.5 A statement of the offender's rights;

4.2.6 The name, date of birth, and physical description of the offender;

4.2.7 A recent photograph, if available;

4.2.8 A statement of the offense for which the offender was convicted, or other

legal basis for the offender's confinement;

4.2.9 A description should be written in a manner which protects the identity of the victim and witnesses to the offense to the extent it is reasonably possible to do so. The description of the offense should be written in a manner so as to not unreasonably arouse the anger of those who review it, or jeopardize the safety of the offender. The Sex Offender Community Notification Unit may use the offense summary information provided by the Board of Review for the offense summary;

4.2.10 The Board of Review's assigned risk level;

4.2.11 The actual address at which the offender intends to reside by street name or by description of landmarks near the area where the offender intends to reside;

4.2.12 The scope of the Community Notification Law;

4.2.13 The name of the person at the Law Enforcement Agency who wrote the Offender Fact Sheet.

4.3 To meet the above provisions, the Law Enforcement Agency shall use a fact sheet similar to Addendum 2 of this policy.

4.4 Distribution of Offender Information among Law Enforcement Agencies:

4.4.1 The primary Law Enforcement Agency shall prepare the Offender Fact Sheet and distribute it, along with any other necessary and relevant information, to the Law Enforcement Agency or agencies in the cities or town where the offender is likely to be encountered.

4.4.2 For instance, in addition to the Offender Fact Sheet, the primary Law Enforcement Agency may also disclose the offender's criminal history records or any other relevant information to other law enforcement agencies.

4.5 Distribution of Offender Information to the Public:

4.5.1 The Offender Fact Sheet shall be distributed by Law Enforcement Agencies to the appropriate schools, establishments and organizations and/or person(s) in accordance with the Community Notification plan for each offender and using these guidelines.

4.5.2 The Offender Fact Sheet shall not be distributed to any other school,

establishment or organization, or any other individual except those designated in the Community Notification plan.

4.5.3 The Law Enforcement Agencies, when available and appropriate, may utilize an existing coordinated messaging system designed for parents of school children pertaining to the dissemination of information of Level 2 and Level 3 notifications. This procedure may be substituted for individual mailings as outlined in the Guidelines in Section 7.2

4.6 The Law Enforcement Agency shall be responsible for implementing the Community Notification at the level designated by the Board of Review.

PART III COMMUNITY NOTIFICATION PLAN GUIDELINES FOR LEVELS I, II AND III

Section 5.0 Risk Level I-Low Risk Sexual Offender

For Risk Level I Sexual Offenders, Offender Fact Sheets shall be distributed by the Law Enforcement Agency as set forth in §5.0 through and including §5.5 of these Guidelines.

5.1 Mandatory Disclosure: Victims Disclosure upon Request of the Victim:

5.1.1 The Fact Sheet shall be given to the victim(s) of the offense committed by the sexual offender who has requested disclosure, if that request has been made know to the Sex Offender Community Notification Unit and/or the Law Enforcement Agency, and if the Sex Offender Community Notification Unit and/or the Law Enforcement Agency is provided an address for the victim(s) with which to communicate this information. If the victim(s) notifies the Sex Offender Community Notification Unit, then the SOCN Unit shall notify the Law Enforcement Agency involved of the victim(s) request and include all necessary information.

5.2 The Fact Sheet shall be mailed to the offender.

5.3 Additional Disclosure: Witnesses Disclosure upon Request of Witnesses.

5.4 The primary Law Enforcement Agency shall distribute the Offender Fact Sheet to any other Law Enforcement Agency where the sexual offender is likely to be encountered.

5.5 Offender criminal history records may be disclosed to other Law Enforcement Agencies in accordance with RI General Laws §11-37.1-1 et seq.; and in accordance with these Guidelines.

Section 6.0 Risk Level II- Moderate Risk Sexual Offenders in Residential Facilities

For a Risk Level II Sexual Offender who is placed in a Residential Facility, disclosure shall be as set forth in §6.1 and §6.2 of these Guidelines.

6.1 Mandatory Disclosure: upon Request of Victim/Witnesses:

Disclosure shall be made to all persons and entities to which Level I mandatory disclosure would be made as set forth in §5.1 through §5.5 of these Guidelines.

6.2 Additional Disclosure:

Additional disclosure may not be made until the head of the residential facility notifies the Law Enforcement Agency that the offender's placement or residence in the facility is scheduled to end. Upon receipt of this notification, the Law Enforcement Agency may make disclosures as authorized in §7.1 below.

Section 7.0 Risk Level II (1) Moderate Risk Sexual Offenders Not Placed in a Treatment Facility.

For a Risk Level II (1), disclosure shall be as set forth in §7.1 through and including §7.7 of these Guidelines.

7.1 Mandatory Disclosure: upon Request of Victim/Witnesses:

Disclosure shall be made to all persons and entities to which Level I mandatory disclosure would be made.

7.2 Additional Disclosure shall be made to Public and Private Education Institutions the offender is likely to encounter as follows:

7.2.1 Early Childhood Facilities, Elementary and Secondary Public and Private Schools.

The following guidelines apply to both public and private schools (hereafter referred to collectively as "school") as follows:

Nursery Schools
Pre-Kindergarten
Kindergarten
Elementary Schools
Middle Schools
Secondary Schools

7.2.2 At the beginning of every school year, the chief administrator of the

school, and/or his/her designee, shall provide the local Law Enforcement Agency with a current directory of the names and addresses of all parents who have children attending their particular school. The Law Enforcement agency shall use the directories from each school to provide Community Notification to these parents in accordance with these guidelines.

7.2.3 At the beginning of each school year, the school shall delete from the directory all the names of parents whose children no longer attend that school, and the names of parents who have asked that their names be removed from the directory.

7.2.4 At the beginning of each school year, the school shall notify the parent(s) of children attending the school of their option to remove their name(s) and address(es) from the school directory. The notice shall include, at a minimum, the following:

a) A brief summary of the RI Sex Offender Registration and Community Notification Act.

b) An explanation that the parent(s) included in the directory shall continue to receive Offender Fact Sheets from the Law Enforcement Agency, unless and until the parent notifies the school that they wish to remove their names(s) from the directory or until the parent no longer has children attending the school, whichever occurs first.

c) A simple form requiring the name of the child or children attending the school and a parent's signature and address, notifying the school and the Law Enforcement Agency that the parent(s) do not want their name(s) and address(es) included in the directory and do not want to receive offender fact sheets from the Law Enforcement Agency.

7.2.5 The school shall delete from the directory the name and addresses of parents who have submitted the above mentioned form requesting that their names and address be removed. The school shall send a duplicate copy of the above mentioned form to the Law Enforcement Agency for their records.

7.2.6 The Law Enforcement Agency shall determine which schools shall be notified of Level II Sex Offenders in accordance with these guidelines

and shall distribute the Offender Fact Sheet(s) to the parent(s) included in the directory for those schools the Law Enforcement Agency has included in its Community Notification.

7.2.7 The Law Enforcement Agency shall also distribute the Offender Fact Sheet to the principal or chief administrator of the schools(s) included in the Community Notification plan, for the purpose of sharing the information with their school employees only.

7.3 Additional disclosure shall be made to the Post-Secondary Public and Private Educational Institutions an offender is likely to encounter as follows:

7.3.1 The following guidelines apply to both public and private post-secondary educational institutions (hereafter referred to collectively as "school").

7.3.2 The Law Enforcement Agency shall notify the chief administrator of the public or private post-secondary educational institution and the chief security officer by giving him/her a Law Enforcement Agency Offender Fact Sheet.

7.3.3 The administrator and/or chief security officer may distribute the Offender Fact Sheet among the school's employees as he/she deems appropriate.

7.3.4 The school may provide a copy of the Offender Fact Sheet to every student and/or provide them access to the Offender Fact Sheet.

7.4 Additional Disclosure shall be made to the Day Care Establishments the offender is likely to encounter.

7.4.1 At the beginning of every school year, the chief administrator of the day care facility and/or their designee shall provide the local Law Enforcement Agency with a current directory of the names and addresses of all parents who have children attending their particular day care center. The Law Enforcement Agency shall use the directories from each day care center to provide Community Notification to parents in accordance with these guidelines.

7.4.2 At the beginning of every school year, the day care facility shall delete from the directory all the names of parents whose children no longer attend their day care facility, and the names of parents who have asked that their names be removed from the directory.

7.4.3 At the beginning of every school year, the day care facility shall notify the

parent(s) of children attending the day care facility of their option to remove their names(s) and address(es) from the directory. The notice shall include, at a minimum, the following:

a. A brief summary of the RI Sexual Offender Registration and Community Notification Unit.

b. An explanation that the parent(s) included in the directory shall continue to receive Offender Fact Sheets from the Law Enforcement Agency unless and until the parent(s) notifies the day care facility that they wish to remove their name(s) from the directory or until the parent(s) no longer has children attending the day care facility, whichever occurs first.

c. A simple form requiring the name of the child or children attending the day care facility and a parent's signature and address, notifying the day care facility and the Law Enforcement Agency that the parent(s) do not want their name(s) and address(es) included in the directory and do not want to receive Offender Fact Sheets from the Law Enforcement Agency.

7.4.4 The day care facility shall delete from the directory the names and addresses of parents who have submitted the above mentioned form requesting that their names and addresses be removed. The day care facility shall send a duplicate copy of the above mentioned form to the Law Enforcement Agency for their records.

7.4.5 The Law Enforcement agency shall determine which day care facilities shall be notified of Level II Sex Offenders in accordance with these guidelines, and shall distribute the Offender Fact Sheet(s) to the parents included in the directory for those day care facilities the Law Enforcement Agency has included in its Community Notification plan.

7.4.6 The Law Enforcement agency shall also distribute the Offender Fact Sheet to the chief administrator of the day care facility included in the Community Notification plan, for the purpose of sharing the information with day care facility employees only.

7.5 Additional disclosure shall be made to the other Day Care Providers that the offender is likely to encounter as follows:

7.5.1 The Law Enforcement Agency shall obtain from the Department of Children, Youth and Families (DCYF) a list of licensed day care providers in the area where the offender resides or expects to reside and/or where the offender is likely to be encountered. The Law Enforcement Agency shall

notify the day care providers by giving them a Law Enforcement Agency Offender Fact Sheet.

7.5.2 The day care provider shall provide a copy of the Offender Fact Sheet to every parent of every child under his/her care and/or provide access to the Offender Fact Sheet which is in the custody of the provider.

7.6 Additional disclosure shall be made to the Establishments and Organizations that primarily serve individuals the offender is likely to encounter.

7.6.1 The Law Enforcement Agency shall distribute the Offender Fact Sheet to those establishments and organizations where the offender is likely to be encountered, and that are included in the Level II community notification plan.

7.6.2 Examples of establishments and organizations that shall be part of the community notification plan include, but are not limited to, the following:

Football Leagues (coaches, adult supervisors only)

Little League and Babe Ruth Baseball Leagues (coaches and adult supervisors only)

Youth Soccer, Tennis, Basketball and other Sports Leagues (coaches and adult supervisors only)

Religious Organizations (Church personnel only)

Boys and Girls Clubs (employees and security only)

Girl Scouts of America (employees, adult team leaders only)

Boy Scouts of America (employees, adult team leaders only)

All Volunteer and Community Organizations which come into contact with children (adult volunteers, directors, employees and security only)

Mall and department stores (employees and security only)

Local merchant associations (employees and security only)

Sports facilities, both public and private, including but not limited to, bowling alleys, recreational centers and gymnasiums (adult supervisors, employees and security only)

Entertainment facilities including but not limited to movie theaters, community theater groups and organizations (employees, adult volunteers, security only)

Neighborhood Crime Watch Groups in neighborhoods where the offender is likely to be encountered

All public meeting facilities (supervisors, adult volunteers and/or employees and security only)

Libraries (employees, adult volunteers and security only)

7.6.3 In determining the establishments and organizations who will be given the Offender Fact Sheet under this provision, the Law Enforcement Agency may consider the offender's prior history, offense characteristics employment history, recreational, social and religious interests; and the characteristics of likely victims. The Law Enforcement Agency should consult with any other Law Enforcement Agencies with jurisdiction over areas in which the offender is likely to be encountered. Organizations that are notified shall be advised of the confidentiality of the information and the limits on allowable distribution.

7.7 The identity of the individuals in the directories provided by the above mentioned early childhood, elementary, middle and secondary schools and day care facilities, shall not be disclosed to any individual or organization except those names which may be disclosed to Law Enforcement Agencies for law enforcement purposes.

7.8 Providing the public with computerized access to the information contained in the Sex Offender Fact Sheet.

7.8.1 No identifying information of a juvenile shall be posted on any public website.

Section 8.0 Risk Level III-High Risk Sexual Offenders in Residential Facilities

For a Risk Level III Offender who is placed in a Residential Facility, disclosure shall be as set forth in §7.1 and §8.2.

8.1 Mandatory Disclosure upon Request of the Victim/Witnesses

Disclosure shall be made to all persons and entities to which Level I mandatory disclosure would be made in accordance with §5.0 through §5.5 of these Guidelines.

8.2 Additional Disclosure; Offender in a Treatment Facility

Additional disclosure may not be made until the head of the facility notifies the Law Enforcement Agency that the offender's placement or residence in the facility is scheduled to end. Upon receipt of this notification, the Law Enforcement Agency may make disclosures as set forth in §9.0 through and including §9.6.9 of these Guidelines.

Section 9.0 Risk Level III (a) High Risk Sexual Offenders Not Placed in a Treatment Facility.

For a Risk Level III (a) Offender, disclosure shall be set forth in §9.0 through and including §9.6.9 of these Guidelines.

9.1 Mandatory Disclosure upon Request of the Victim/Witnesses

Disclosure shall be made to all persons and entities to whom Level I and Level II mandatory and additional disclosures would be made in accordance with §5.0 through §7.7 of these Guidelines.

9.2 Additional Disclosure to Individual Community Members

Additional disclosure of the Offender Fact Sheet should be made to any other members of the community the offender is likely to encounter as set forth in §9.3 through and including §9.6.9 of these Guidelines.

9.3 In determining the individual community members, establishments and organizations that will be given the Fact Sheet under this provision, the Law Enforcement Agency may consider the offender's prior history, age, offense characteristics, employment, recreational, social and religious interests and the characteristics of likely victims.

9.4 The Law Enforcement Agency shall consult with any other Law Enforcement Agencies with primary jurisdiction over which the offender is likely to be encountered.

9.5 The Law Enforcement Agency shall make reasonable efforts to notify members of

the community through appropriate use of public information resources, including, but not limited to, any two or all of the following:

9.5.1 Providing public access to hard copies of the Offender Fact Sheet at the Law Enforcement Agency; or

9.5.2 News releases; or

9.5.3 Fliers; or

9.5.4 Advertisements in local newspapers; or

9.5.5 Providing the public with computerized access to the information contained in the offender fact sheet. For instance the Law Enforcement Agency could create a web sit or other type of program that would be accessible to the public at the Law Enforcement Agency or at the local library; or

9.5.6 Any other available methods of distribution which are effective and appropriate to the community.

9.6 The Law Enforcement Agency, from time to time, shall consider and use as appropriate a variety of informational approaches, such as community educational meetings, in order to educate the public. Such community educational meetings or other informational approaches may provide the following:

9.6.1 Description of the Community Notification Law and Sex Offender Registration Law.

9.6.2 Offender Fact Sheets concerning the Level III offenders who are subject to community notification.

9.6.3 Information which will promote public safety and protection from other offenders who may not be subject to notification.

9.6.4 An explanation of the rights of the offenders to be free of illegal harassment.

9.6.5 Assistance of community leaders, other officials and relevant professional disciplines.

9.6.6 Information relevant to the scope of notification for the offender who is subject to notification.

9.6.7 Information about existing social services and counseling services for victims of sexually violent offenses.

9.6.8 General personal safety and crime prevention tips, fact sheets and/or related materials.

9.6.9 Information concerning general sex offender and predatory offender characteristics.

Section 10.0 Exchange of Information between Law Enforcement Agencies

The Law Enforcement Agency may provide any data in its possession obtained under the Sexual Offender Registration and Community Notification Statute to another Law Enforcement Agency that is initiating or conducting an investigation, or to assist that Law Enforcement Agency in conducting Community Notification or Sex Offender Registration. See RI General Laws §11-37.1-1 et seq

PART IV RE – NOTIFICATION

Section 12.0 Re-Notification

12.1 When an offender notifies a Law Enforcement Agency of the intent to move from the jurisdiction or within the jurisdiction, the Law Enforcement Agency shall:

12.1.2 Obtain a copy of the sex offender's Change of Address Notice from the offender. A copy of the form shall be sent to the Chief Law Enforcement Officer of the jurisdiction to which the offender intends to move. A copy of the form will be retained in the Law Enforcement Agency's files.

12.1.3 The Law Enforcement Agency shall provide the new Law Enforcement Agency with all relevant and necessary information in its possession pertaining to the offender, including the notification plan.

12.1.4 The new Law Enforcement Agency then has responsibility for implementing a Community Notification Plan at the level determined by the Parole Board.

12.2 A Law Enforcement Agency may periodically review its Community Notification files to determine if re-notification of the community is appropriate due to changes in the make-up of the community. In making that determination, the Law Enforcement Agency should consider the nature and characteristics of the community, including the extent of changes in its population and membership. The Law Enforcement Agency shall not, on its own, change the level of notification for any offender. If the Law Enforcement Agency determines that re-notification is appropriate, the agency shall employ the same methods of notification it employed originally to the extent that it is feasible, consistent with

the original recommendations made by the Sex Offender Board of Review.

12.3 Upon receipt from the SOCN Unit of a reclassification of an offender's risk level, the Law Enforcement Agency shall proceed with the implementation of a Community Notification Plan consistent with the new level of notification, with recommendations of the Sex Offender Board of Review and in accordance with the guidelines set forth in §5.0 through §9.6.9 of these Guidelines.

PART V RELEASE OF INFORMATION

Section 13.0 Release of Information

13.0 The Sexual Offender Registration and Community Notification Act, RI General Laws §11-37.1-1 et seq., does not provide that an offender's criminal history of convictions be made a public record, nor does it provide for the release of such information to the general public in all circumstances. No information obtained under RI General Laws §11-37.1.1 et seq., shall be released or transferred without the written consent of the offender and/or his/her authorized representative, except under certain enumerated circumstances set forth below.

13.1 No consent for release or transfer of information obtained under RI General Laws §11-37.1-1 et seq., shall be required in the following instances:

13.2.1 Such information may be disclosed to Law Enforcement Agencies for law enforcement purposes; and

13.2.2 Such information may be disclosed to government agencies conducting background checks; and

13.2.3 The Attorney General's Office (as a designated Law Enforcement Agency) and any local Law Enforcement Agency authorized by the Attorney General's Office may release relevant information that is necessary to protect individuals concerning a specific person required to register under RI General Laws §11-37.1-1 et seq., except the identify of the victim of an offense that requires registration under RI General Laws §11-37.1-1 et seq., shall not be released; and

13.2.4 Such information may be released or disseminated in accordance with the provisions of RI General Laws §11-37.1 and these Guidelines.

PART VI IMMUNITY

Section 14.0 Good Faith Immunity

14.1 Any person who performs any act, or fails to perform any act hereunder, shall have good faith immunity from any liability, civil or criminal, that might be incurred as a result of the performance of or failure to perform any act hereunder.

APPENDIX

ADDENDUM 1

SEX OFFENDER RISK OF RE-OFFENSE ASSESSMENT FACTORS

Each risk of re-offense assessment decision shall be made on the basis of the facts of each individual case, after review of appropriate documentation. The following fifteen (15) facts will be considered in each risk level determination. The factors listed below should be considered in conjunction with those facts that have already been articulated in RI General Laws §11-37.1.

FACTORS CONCERNING THE COMMISSION OF THE SEXUAL OFFENSE

- **ACTUARIAL RISK SCORE**

  Including but not limited to Static 99 (Adults) and the STABLE 2000 (Adults with SOCN Interview) and the J-Soap II (Juveniles).

- **DEGREE OF VIOLENCE**

  Including, but not limited to, use of weapons, threats, bodily harm, kidnapping, homicide, known HIV status.

- **OTHER SIGNIFICANT CRIME CONSIDERATIONS**

  Including, but not limited to, presence of multiple offenders, animal abuse, photography/videotaping of crime, humiliation.

- **DEGREE OF SEXUAL INTRUSION**

  Including, but not limited to, the type or nature of the offender's contact with the victim, types of penetration of the victim.

- **VICTIM SELECTION CHARACTERISTICS**

  Including, but not limited to, the number of victims, age of the victim, specificity of victim characteristics, developmental level, vulnerability factors i.e. handicap, establishment of relationships for the primary purpose of victimization.

FACTORS CONCERNING PRIOR HISTORY

- **KNOWN NATURE AND HISTORY OF SEXUAL AGGRESSIONS**

Including, but not limited to, offense frequency, type, duration, length of sexual aggression history, past or present paraphilic behavior.

- **OTHER CRIMINAL HISTORY**

- **SUBSTANCE ABUSE HISTORY**

Including, but not limited to, participation in substance abuse treatment.

PRESENCE OF PSYCHOSIS, MENTAL RETARDATION OR BEHAVIORAL DISORDER

FACTORS CONCERNING SUPPORT SYSTEMS

- **DEGREE OF FAMILY SUPPORT OF OFFENDER ACCOUNTABILITY AND SAFETY**

- **PERSONAL, EMPLOYMENT AND EDUCATIONAL STABILITY**

Including, but not limited to, history of violent behavior, relationship stability, employment stability, significant personal isolation.

- **INCARCERATION COMMUITY SUPERVISION RECORD**

Including, but not limited to, access to potential victims through employment and living environment.

- **EXTERNAL CONTROLS**

Including, but not limited to, probation and parole status, electronic monitoring, group home placement.

FACTORS CONCERNING TREATMENT/PSYCHOTHERAPY PROGRESS

- **PARTICIPATION IN SEX OFFENDER SPECIFIC TREATMENT PROGRAM**

- **RESPONSE TO SEX OFFENDER SPECIFIC TREATMENT/ ADMISSION OF GUILT, ACCEPTANCE OF RESPONSIBILITY FOR CRIMES, COMMITMENT TO ONGOING SAFETY, RECOVERY AND SEX OFFENDER TREATMENT**

ADDENDUM II SEX OFFENDER INFORMATION FACT SHEET
LEVEL ____ NOTIFICATION OF RELEASE
(Law Enforcement Agency Name)

Agency Case Number:	Date:
Name of Officer who Authored Report:	

The (Law Enforcement Agency) is releasing the following information pursuant to RI General Laws §11-37.1-1 et seq., which authorizes law enforcement agencies to inform the public of a sex offender's release from prison when the Sex Offender Board of Review determines that the release of information will enhance public safety and protection.

The individual who appears on this notification has been convicted of a sex offense or other offense that requires registration with the law enforcement agency which has jurisdiction over their residence.

This offender has served the sentence imposed by the courts and will be living in the location below. This offender is not wanted by the police at this time. This notification is not intended to increase fear. It is our belief that an informed public is a safer public.

The (Law Enforcement Agency) has no legal authority to direct where an offender may or may not live. Unless court ordered restrictions exist, an offender is constitutionally free to live wherever the offender chooses. Further, their previous criminal history places them in a classification level which reflects only the potential to re-offend.

Sex offenders have always lived in our communities, but it was not until passage of the Sexual Offender Registration and Community Notification Act that law enforcement even knew where they were living. In many cases, law enforcement is now able to share information with you. Abuse of this information to threaten, intimidate or harass registered offenders will not be tolerated and may be a crime. Further, such abuse could potentially end law enforcement's ability to do community notifications. We believe that if community notification ends because of community harassment, the only person who wins is the sex offender, since sex offenders derive their power through secrecy.

The (law enforcement agency) is available to help you by providing you with useful information on personal safety. The (law enforcement agency) may be reached at (401) ___-____. If you have information regarding current criminal activity of this or any other offender, please call 911.

(Recent Photo of Offender)

(Name and Date of Birth of Offender)
(Age of Offender)
(Physical Description of Offender)

(Statement of Offense of which the offender was convicted, or other legal basis for the offender's confinement), (Description of the facts of the offense), (Actual address of the Offender by street name and number).

This notice is intended to provide you with information concerning this offender. The Sexual Offender Registration and Community Notification Act does not apply to all persons who are sexual offenders, but as a result of the Act and registration laws, law enforcement is now better able to locate and be better aware of activities of thousands of such offenders.

ADDENDUM III

SEX OFFENDER INFORMATION FACT SHEET
NOTIFICATION OF OFFENDER'S RELEASE ON LESS THAN A PRISON SENTENCE
(Law Enforcement Agency Name)

Agency Case Number:	Date:
Name of Officer who Authored Report:	

The (Law Enforcement Agency) is releasing the following information pursuant to RI General Laws §11-37.1-1 et seq., which authorizes law enforcement agencies to inform the public of a sex offender's release from prison when the Sex Offender Board of Review determines that the release of information will enhance public safety and protection.

The individual who appears on this notification has been convicted of a sex offense that also requires registration with the law enforcement agency which has jurisdiction over their residence.

This offender has advised the (law enforcement agency) that he will be living in the community. This offender is not wanted by the police at this time. This notification is not intended to increase fear. It is our belief that an informed public is a safer public.

The (Law Enforcement Agency) has no legal authority to direct where an offender may or may not live. Unless court ordered restrictions exist, an offender is constitutionally free to live wherever the offender chooses. Further, their previous criminal history places them in a classification level which reflects only the potential to re-offend.

Sex offenders have always lived in our communities; but it was not until passage of the Sexual Offender Registration and Community Notification Act that law enforcement even knew where they were living. In many cases, law enforcement is now able to share information with you. Abuse of this information to threaten, intimidate or harass registered offenders will not be tolerated and may be a crime. Further, such abuse could potentially end law enforcement's ability to do community notifications. We believe that if community notification ends because of community harassment, the only person who wins is the sex offender, since sex offenders derive their power through secrecy.

The (law enforcement agency) is available to help you by providing you with useful information on personal safety. The (law enforcement agency) may be reached at (401) ___-____. If you have information regarding current criminal activity of this or any other offender, please call 911.

(Recent Photo of Offender)

(Name and Date of Birth of Offender)
(Age of Offender)
(Physical Description of Offender)

(Statement of Offense for which the offender was convicted, or other legal basis for the offender's confinement), (Description of the facts of the offense), (Actual address of the Offender by street name and number).

This notice is intended to provide you with information concerning this offender. The Sexual Offender Registration and Community Notification Act does not apply to all persons who are sexual offenders, but as a result of the Act and registration laws, law enforcement is now better able to locate and be better aware of activities of thousands of such offenders.

LETTER TO LAW ENFORCEMENT

LEVEL I

LEVEL I OFFENDER

(DATE)

Dear Chief Law Enforcement Officer:

The information contained in this pack is in reference to a Level I Offender. It includes a document entitled “Fact Sheet-Sex Offender Release Information.”

I would like to remind you that this classification allows you to notify other Law Enforcement Agencies, as well as any Victims or Witnesses.

You have been provided with information supporting the Risk Level Classification which is intended for Law Enforcement use only.

Sincerely,

LETTER TO LAW ENFORCEMENT

LEVEL II

LEVEL II OFFENDER

(DATE)

Dear Chief Law Enforcement Officer:

The information contained in this pack is in reference to a Level II Offender.

I would like to remind you that this classification allows you to notify other Law Enforcement Agencies, Victims and Witnesses, Schools and Day Care Facilities, as well as any Establishments and Organizations that primarily serve individuals who are likely to encounter the offender.

You have been provided with information supporting the Risk Level Classification which is intended for Law Enforcement use only. This information is to be used in the creation of an Offender Fact Sheet which will be disseminated by you according to your Community Notification Plan for this level of offender.

Sincerely,

LETTER TO LAW ENFORCEMENT

LEVEL III

LEVEL III OFFENDER

(DATE)

Dear Chief Law Enforcement Officer:

The information contained in this pack is in reference to a Level III Offender.

I would like to remind you that this classification allows you to notify other Law Enforcement Agencies, Victims and Witnesses, Schools and Day Care Facilities, as well as any Establishments and Organizations that primarily serve individuals who are likely to encounter the offender.

In addition, Level III Notifications may include other members of the community with whom the offender is likely to encounter.

You have been provided with information supporting the Risk Level Classification which is designed for Law Enforcement use only. This information is to be used in the creation of an Offender Fact Sheet which will be disseminated by you according to your Community Notification Plan for this level of offender.

Sincerely,

NOTICE TO LEVEL II AND LEVEL III OFFENDERS

NOTICE OF OFFENDER'S OPTION FOR COURT REVIEW OF DESIGNATED LEVEL OF COMMUNITY NOTIFICATION

(DATE)

Dear

Pursuant to the RI Sexual Offender Registration and Community Notification Act, RI General Laws §11-37.1-1 et seq, you have been referred to the Parole Board for a determination of risk of re-offense for Community Notification purposes.

Upon review of all relevant information and documentation provided concerning your case, the Sex Offender Board of Review has determined that your risk of re-offense is (moderate) (high). Consequently, Community Notification shall take place at (Level II) (Level III).

Level II Community Notification requires disclosure of identifying information in the form of an "Offender Fact Sheet" to (1) the victim and/or witnesses of the offense for which you have been convicted; (2) those organizations you are likely to encounter, such as schools, day care facilities. and other social and religious agencies in the area where you will be living and/or working; and (3) those individual members of the public with whom you are likely to encounter; including providing the public with computerized access to the information contained in the Sex Offender Fact Sheet.

Level III Community Notification may include any two or more of the following:

Providing public access to hard copies of the offender fact sheet at the Law Enforcement Agency;

News releases; or

Fliers; or

Advertisements in local newspapers; or

Providing the public with computerized access to the information contained in the Offender Fact Sheet. For instance the Law Enforcement Agency could create a web site or other type of program that would be accessible to the public at the Law Enforcement Agency or at the local library.

Or any other available methods of distribution which are deemed effective and appropriate to the community.

The Level (II) (III) Community Notification will take place on or after _____.

The Act provides you with the opportunity to ask for Court Review of the Sex Offender Board of Review's determination of your level of Community Notification. If you do apply to a court for a review, Community Notification will take place unless and until the court affirms the Sex Offender Board of Review's determination, or the court orders a change in the level of Community Notification.

This is your choice. If you decide to apply for a Court Review, you must do the following:

1. You must apply for a Court Review on or before _____

2. You must apply for a Court Review in writing, such as a letter.

3. The written application a for Court Review shall include:

   a. your name

   b. a statement of objection to the notification and/or its level, form or nature

   c. a copy of this Notice

4. You must file your written application for a Court Review with the criminal calendar judge or court clerk in the (Superior) (Family) court in the county where you are living or where you are intending to live upon your release. You should also send a copy of your application to the Sex Offender Community Notification Unit at the address that appears on this letterhead.

You have the right to be represented by an attorney of your own choosing; or by an attorney appointed by the court, if the court determines that you cannot afford to pay for an attorney to represent you.

Sincerely,

SAMPLE FACT SHEET-LEVEL I

RHODE ISLAND SEX OFFENDER COMMUNITY NOTIFICATION UNIT
FACT SHEET

SEX OFFENDER RELEASE INFORMATION

NOTIFICATION OF RELEASE IN RHODE ISLAND

RISK LEVEL ONE	Law Enforcement may notify other law enforcement agencies, victims of, or witnesses to the offense committed by the offender (if the victims and witnesses have requested such notification).

The individual who appears on this notification has been convicted of Criminal Sexual Conduct or other statutes which require the individual to register with law enforcement pursuant to RI General Laws §11-37.1et seq of the Act.

The following information is for law enforcement use only:

Name and Date of Birth of Offender

Age of Offender

Address of Offender

Affix Photograph of Offender

Physical description and identifying marks of Offender

Conviction Statue

Release Date, Releasing Institution

Supervising Agency Name and Telephone Number

Statement of offense including, but not limited to, offense type, location of previous offense, modus operandi, age of victim(s), method of victim acquisition, level of force used, weapon type (if any), chemical use patterns and types.

Special release conditions and supervision, if any.

Address of offender upon release.

Employment, education institutions, and other localities offender may frequent upon release.

Other information which may be pertinent to law enforcement officers.

This information is for the use of the Law Enforcement Agencies Only and is not to be reproduced for general distribution outside the

LAW ENFORCEMENT AGENCY

Name of Officer Who Authored Report

SAMPLE FACT SHEET – LEVEL II

SEX OFFENDER FACT SHEET
NOTIFICATION OF RELEASE IN RHODE ISLAND

RISK LEVEL TWO	In addition to Level One notification (other law enforcement agencies; victims/witnesses to the offense committed by the offender) law enforcement may notify schools and daycare centers and providers, and other organizations that primarily serve individuals like to encounter the offender.

The Law Enforcement Agency is releasing the following information pursuant to RI General Laws §11-37.1-1 et seq., also known as the Sexual Offender Registration and Community Notification Act. This individual is subject to community notification of his/her pending release pursuant to RI General Laws §11-37.1-12 of the Act, which authorizes law enforcement agencies to inform the public of a sex offender's release from prison when the Sex Offender Board of Review determines that the release of information will enhance public safety and protection.

The individual who appears on this notification has been convicted of a sex offense which also requires registration with law enforcement pursuant to RI General Laws §11-37.1-1 et seq.

This offender is not wanted by the police at this time and has served the sentence imposed on him/her by the court. This notification is not to increase fear in the community. It is the belief of law enforcement that an informed public is a safe public.

No agency, including any Law Enforcement Agency or any state agency, may direct where the offender does or does not reside, nor can these agencies direct where he/she works or goes to school. The risk level of this offender has been determined based largely upon his/her potential to re-offend.

Sex offenders have always lived in our communities; but it was not until passage of the Sexual Offender Registration and Community Notification Act that law enforcement even knew where they were living. In many cases, law enforcement is now able to share information with you. Abuse of this information to threaten, intimidate or harass registered offenders will not be tolerated and may be a crime. Further, such abuse could potentially end law enforcement's ability to do community notifications. We believe that if community notification ends because of community harassment, the only person who wins is the sex offender, since sex offenders derive their power through secrecy.

The (law enforcement agency) is available to help you by providing you with useful information on personal safety. The (law enforcement agency) may be reached at (401) ___-____. If you have information regarding current criminal activity of this or any other offender, please call 911.

	Name and Date of Birth of Offender
	Age of Offender
Affix Photograph of Offender	Physical description and identifying marks of Offender
	Address of Offender (by street name and number)
	Offense for which offender was convicted
	Date of Release

Description of the facts of the previous offense and known criminal behavior patterns of the offender. Other information pertinent to notification of the community and neighborhood.

Name of Officer who Authored Report:

SAMPLE FACT SHEET-LEVEL III

LAW ENFORCEMENT AGENCY
SEX OFFENDER FACT SHEET
NOTIFICATION OF RELEASE IN RHODE ISLAND

RISK LEVEL THREE	In addition to Level One and Two notification (other law enforcement agencies, victims/witnesses, schools and daycare centers and providers; other organizations likely to encounter the offender (law enforcement may notify individual community members who are likely to encounter the offender).

The Law Enforcement Agency is releasing the following information pursuant to RI General Laws §11-37.1-1 et seq., also known as the Sexual Offender Registration and Community Notification Act. This individual is subject to community notification of his/her pending release pursuant to RI General Laws §11-37.1-12 of the Act, which authorizes law enforcement agencies to inform the public of a sex offender's release from prison when the Sex Offender Board of Review determines that the release of information will enhance public safety and protection.

The individual who appears on this notification has been convicted of a sex offense which also requires registration with law enforcement pursuant to RI General Laws §11-37.1-1 et seq.

This offender is not wanted by the police at this time and has served the sentence imposed on him/her by the court. This notification is not to increase fear in the community. It is the belief of law enforcement that an informed public is a safe public.

No agency, including any Law Enforcement Agency or any state agency, may direct where the offender does or does not reside, nor can these agencies direct where he/she works or goes to school. The risk level of this offender has been determined based largely on his/her potential to re-offend.

Sex offenders have always lived in our communities; but it was not until passage of the Sexual Offender Registration and Community Notification Act that law enforcement even knew where they were living. In many cases, law enforcement is now able to share information with you. Abuse of this information to threaten, intimidate or harass registered offenders will not be tolerated and may be a crime. Further, such abuse could potentially end law enforcement's ability to do community notifications. We believe that if community notification ends because of community harassment, the only person who wins is the sex offender, since sex offenders derive their power through secrecy.

The (law enforcement agency) is available to help you by providing you with useful information on personal safety. The (law enforcement agency) may be reached at (401) ___-____. If you have information regarding current criminal activity of this or any other offender, please call 911.

	Name and Date of Birth of Offender
	Age of Offender
Affix Photograph of Offender	Physical description and identifying marks of Offender
	Address of Offender (by street name and number)
	Offense for which offender was convicted
	Date of Release

Description of the facts of the previous offense and known criminal behavior patterns of the offender. Other information pertinent to notification of the community and neighborhood.

Name of Officer who Authored Report:

SAMPLE VICTIM NOTIFICATION LETTER

___Date_____

Parent/Guardian of
Victim's Name
Victim's Street Address
City, State and Zipcode

Mr/Mrs/Ms _____,

The _____ Police Department is in the process of conducting a Level II notification on convicted ___Sex Offender's Name_ . Offender's Level I, II, or III status has been designated by the Sex Offender Board of Review and the Rhode Island Superior Court.

I am forwarding this letter and enclosed fact sheet to your attention in compliance with RI General Laws 11-37-1-1 ET, SEQ. __Sex Offender's Name is presently living in Street or Landmark name area of your city and is currently on supervised probation until Date .

If you should have any questions or concerns about Sex Offender's Name or the attached fact sheet, please feel free to contact me at your earliest convenience at my office number _____ .

Sincerely,

Officer's Name