



## MEDFIELD POLICE DEPARTMENT

POLICY NO. 4.33

# SEX OFFENDER REGISTRY

MASSACHUSETTS POLICE  
ACCREDITATION STANDARDS  
REFERENCED: NONE

ISSUING AUTHORITY:

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Chief of Police

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### **BACKGROUND:**

The Commonwealth of Massachusetts has established guidelines for registering individuals that have been determined to be sex offenders. There are three levels of offenders, Level 1, Level 2 and Level 3. Level 1 is considered to be a low risk offender, Level 2 a moderate risk offender, and Level 3 is a high-risk offender. In addition, a Level 3 offender can also be designated as a Sexually Violent Predator (SVP). Before an individual appears at the Medfield Police Department to register, this classification process will have been determined by the Sex Offender Registry Board. It is important to note that sex offenders are only classified after a conviction. People with pending charges will not show up as registered sex offenders.

### **POLICY:**

The Medfield Police Department will comply with the guidelines set forth by the Sex Offender Registry Board (SORB) and the Medfield Sex Offender Residency by-law when registering sex offenders who live and/or work in the community. In addition, the Department will disseminate information, under the appropriate circumstances, to individuals and/or the public concerning sex offenders who live, work, or have committed a sex crime in Medfield.

### **SEX OFFENDER LEVELS (as determined by Massachusetts law):**

**Level 1**

A Level 1 designation is given to a sex offender when it has been determined that the risk of reoffense is low, and the degree of dangerousness posed to the public is not such that a public safety interest is served by public access to information pertaining to the offender.

Information on Level 1 offenders will not be available to the public. Neither the police nor the Board has authority to disseminate information to the general public identifying a Level 1 offender.

Information identifying Level 1 offenders may only be given to the Department of Correction, any county correctional facility, the Department of Youth Services, the Department of Children and Families, the Parole Board, the Department of Probation and the Department of Mental Health, state and municipal police departments, and the Federal Bureau of Investigation for law enforcement purposes.

**Level 2**

The designation given to a sex offender when it has been determined that the individual's risk of reoffense is moderate and the degree of dangerousness posed to the public is such that a public safety interest is served by public access to sex offender registry information.

The public shall have access to the information regarding a Level 2 offender through the local police department and through the Sex Offender Registry Board.

**Level 3**

The designation given to a sex offender when it has been determined that the individual's risk of reoffense is high and the degree of dangerousness posed to the public is such that a substantial public safety interest is served by active public dissemination (community notification) of sex offender registry information.

The public shall have access to the information regarding a Level 3 offender through the local police department and through the Sex Offender Registry Board.

**Sexually Violent Predators**

The Sex Offender Registry Board has determined that the risk of reoffense is high and the degree of dangerousness posed to the public is such that a substantial public safety interest is served by active dissemination. It shall give a level 3 designation to the sex offender and may also conclude that offender also be classified as a sexually violent predator.

The public shall have access to the information regarding a Sexually Violent Predator through the local police department and through the Sex Offender Registry Board.

**PROCEDURES:**

The Chief of Police and the Shift Commander shall be notified whenever information is received from the Sex Offender Registry Board that Medfield has any type of sex offender living, working, or having committed a sex crime in Medfield.

***Initial Registration*****Level 1**

The Department will receive notification that a level 1 offender lives, works and/or has committed a crime in Medfield, but the level 1 offender is not required to register in person with the Medfield Police Department.

**Level 2 & 3**

A level 2 sex offender who lives in Medfield is required to appear in person at the station within two calendar days of being finally classified and notified by the Sex Offender Registry Board. When a level 2 sex offender appears at the station the following steps shall be taken:

1. The Sex Offender will be referred to the Record Clerk's office for registration.
2. One set of criminal fingerprint cards will be taken and properly completed. The remaining card will be sent to SORB.
3. A Sex Offender Registration Form will be completed and signed by the sex offender.
4. The sex offender is also required to provide two (2) original documents to verify their residential address. A photocopy of these documents will be made and then placed in the offender's file. Acceptable documents are: rent or mortgage receipts(s), utility bill, bank or credit card statement, passport or driver's license. Other documents may be submitted but are subject to the approval of the Sex Offender Registry Board.
5. The Records Clerk will verify the information provided by the sex offender in CJIS. Changes and/or additional information shall be modified at this time and transmitted to the Sex Offender Registry Board.
6. The Medfield Police Department will retain all appropriate documents for forwarding to the Sex Offender Registry Board. These materials will be placed in the Sex Offender's file.

***Sexually Violent Predator***

A Sexually Violent Predator is a level 3 offender who is also classified as a Sexually Violent Predator; he shall follow all of the registration guidelines set forth for Level 2 and Level 3 offenders and shall submit to this registration process every 90 days.

### ***Homeless Offenders***

In the event the Department encounters a homeless sex offender who is currently staying in Medfield, the individual will not have documentation of his residential address. This individual is required to register with the Medfield Police Department every 90 days and provide the Department with all of the other registration data mentioned above.

### ***Out of State Offenders***

In the event that a sex offender lives in another state, but works in Medfield, the Medfield Police Department becomes the registering department. It is not necessary to determine the level of the offender. All registration procedures will be completed for all offenders. The Chief Clerk will:

1. Contact the equivalent of the Sex Offender Registry Board for the state where the sex offender resides.
2. Obtain further information from the state where the offender resides and will also contact the department where the offense was committed.
3. Upon completion of the registration process return the appropriate forms to the Sex Offender Registration Board and if required, to the offender's state of residence.

There are also instances where an offender will be working at a job site in Medfield for one or two days. In these cases, the offender will have a form from their state Sex Offender Registry Board or probation department that simply needs to be signed by the Chief Clerk, or in his absence a superior officer, to indicate that they have checked in with us as required by their state. In this case, a copy of the form should be made after it has been signed and then it will be forwarded to the Sex Offender Registration Coordinator.

### ***Annual Verification or Registration Information***

#### **Level 1**

A level 1 offender is not required to register with the police. The registration will be done directly through the Sex Offender Registry Board.

#### **Level 2**

A level 2 sex offender will follow the same process for initial registration during the month of the anniversary of his birth (example – if the individual is born on January 13<sup>th</sup>, he will receive his annual registration form and is required to verify this registration information during the month of January). The following information must be submitted by the sex offender during the annual registration process:

1. One digital image.

2. Documentation of his residence.

### **Level 3**

A level 3 Sex Offender will follow the same process for initial registration during the month of the anniversary of his birth (example – if the individual is born on January 13<sup>th</sup>, he will receive his annual registration form and is required to verify this registration information during the month of January). The following information must be submitted by the sex offender during the annual registration process:

1. One digital image
2. Documentation of his residence.

### ***Sexually Violent Predator***

A Sexually Violent Predator will follow the same process for initial registration during the month of the anniversary of his birth (example – if the individual is born on January 13<sup>th</sup>, he will receive his annual registration form and is required to verify this registration information during the month of January). In addition to annual verification, he will appear in person every 90 calendar days at the Department to verify the registration data on file. The following information must be submitted by the sex offender during the quarterly registration process:

1. One digital image
2. Documentation of his residence.

### ***Guidelines for Dissemination of Sex Offender Information***

Members of the public may obtain information regarding the status of sex offenders from the Sex Offender Registry Board or from the Medfield Police Department. Information may only be disseminated to the public for Level 2, Level 3, and Sexual Violent Predators. An individual does not have to be a resident of the Town of Medfield to request this information.

An individual, 18 years of age or older, may make a written request to the Medfield Police Department for sex offender information. The information must be for the protection of the requesting individual, an individual under the age of 18, or an individual for whom the requesting party has responsibility or for whom he has care and custody of.

The Chief Clerk shall be responsible for the dissemination of Sex Offender Registry information and will follow the procedure below.

1. Provide the citizen with the Sex Offender Registry Form 5.
2. The citizen shall completely fill out and sign the form.

3. The citizen must read and indicate that he understands the warning regarding the illegal dissemination of sex offender information.

4. The citizen will provide personal identification to the Medfield Police Department.

Once the requestor has completed and signed the Sex Offender Registry Form 5, the Chief Clerk will review the form for accuracy and appropriateness and ensure that the citizen understands the warning regarding dissemination of information.

The Department has two (2) business days to provide information regarding level 2 offenders. This information shall be disseminated immediately, unless there are questions regarding the appropriateness of the request.

The Department is required to immediately provide information regarding Level 3 offenders or Sexually Violent Predators to the requesting party.

Each time a request for information regarding a sex offender is made or disseminated to a requester, the Sex Offender Registry Form 5 will be forwarded to the Chief Clerk.

Secondary dissemination of sex offender information is not prohibited. However, it cannot be used for criminal purposes or to harass or illegally discriminate against an individual.

#### ***Information received from the Sex Offender Registry Board***

##### **Level 1**

1. Ensure that the Department has a complete set of data on this individual;
2. File the information with the Chief Clerk.
3. Notify the Chief of Police, or his designee, roll call and the designated detective.

Department notification will take place by presenting the information at roll call. Officers will be reminded that the information is not for public dissemination.

##### ***Level 2, Level 3, and Sexual Predators***

When notification that a Level 2, Level 3 or a Sexually Violent Predator offender, lives, works or committed his crime in Medfield, the information shall be forwarded to the Sex Offender Registration Coordinator (SORC) who will:

1. Ensure that the Department has a complete set of data on this individual.
2. File the information in the Clerk's Office
3. If the offender is a Level 3 or Sexually Violent Predator, complete the public dissemination process as set forth by the Sex Offender Registration Guidelines.
4. Notify the Chief of Police, or his designee, roll call and the designated detective.

Department notification will take place by presenting the information at Roll Call. Instructions will include a review of the guidelines for public dissemination for the offender's level.

### ***Community Notification***

#### **Level 1**

Neither the police nor the board has authority to disseminate information to the general public identifying a Level 1 offender. Information identifying Level 1 offenders may only be given to the Department of Correction, any county correctional facility, the Department of Youth Services, the Department of Children and Families, the parole board, the Department of Probation and the Department of Mental Health, state and municipal police departments and the Federal Bureau of Investigation for law enforcement purposes.

#### **Level 2**

Information on Level 2 offenders will be disseminated to a citizen upon request. The Medfield Police Department will not make community notifications regarding Level 2 offenders.

#### ***Level 3 and Sexually Violent Predators***

Information pertaining to level 3 sex offenders will be distributed by the Medfield Police Department immediately, and in no case will the notification take longer than two (2) business days. Distribution will include a community notification letter, a summary of Massachusetts Sex Offender Registry Law, and a flyer containing the following information:

1. The name of the sex offender;
2. The sex offender's home address;
3. The sex offender's work address;
4. The offense for which the offender was convicted or adjudicated and the date of the conviction or adjudication;
5. A photograph of the sex offender; and
6. The sex offender's age, sex, race, height, weight, eye and hair color.

The information shall be disseminated to all schools public and private. The Department will also notify community organizations and individual members of the public who are likely to encounter the offender. This may include, but is not limited to:

1. Day care centers;
2. Youth groups;

3. Recreational groups; and
4. Elder groups.

The list of other organizations to be notified will be updated every time a notification is made and on a quarterly basis thereafter, for as long as the offender is present in the community.

This information shall also be provided to any local newspapers and the Medfield Cable Channel. It will be placed on the Medfield Police Department website and made available to the public in the form of flyers, which shall be posted the following area:

1. The Police Department lobby;
2. The Town Hall;
3. The Medfield Public Library;
4. The Medfield Post Office; and
5. Any other public areas deemed appropriate by the Chief of Police.

Community notification of all level 3 offenders shall take place at least annually and shall take place each time a Level 3 offender changes a work or residential address. More frequent notifications shall take place if deemed appropriate for public protection by the Sex Offender Registry Board.