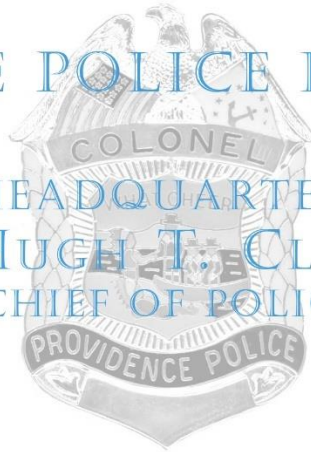


PROVIDENCE POLICE DEPARTMENT

HEADQUARTERS
COLONEL HUGH T. CLEMENTS, JR.
CHIEF OF POLICE



TYPE OF ORDER	NUMBER/SERIES	ISSUE DATE	EFFECTIVE DATE
General Order	360.11	10/28/2021	11/1/2021
SUBJECT TITLE		PREVIOUSLY ISSUED DATES	
Sexual Offender Community Notification Plan			
REFERENCE		RE-EVALUATION DATE	
		11/1/2026	
SUBJECT AREA		DISTRIBUTION	
Law Enforcement Operations		All Personnel	

PURPOSE

The purpose of this policy is to establish procedures for compliance with RIGL 11-37-1.1 ET SEQ. The Sexual Offender Registration and Community Notification Act.

POLICY

The Providence Police Department supports the philosophy of informing members of the public of the pending or current release of convicted sexually violent offenders. By providing adequate notice to the public, communities and others affected by the release can proactively plan to safeguard their children and families against possible re-offense by the sexually violent offenders. It is the policy of the Providence Police Department to provide community notification relative to the release of those offenders as designated by statute, while preserving the rights of those offenders. It is the policy of this department to provide maximum information authorized, consistent with the requirements public safety and the legal rights of the offender.

DEFINITIONS

Sexually Violent Offense: "Sexually violent offense" means, and includes, any violation of §§ 11-37-2, 11-37-4, 11-37-6, 11-37-8, 11-37-8.1, 11-37-8.3, 11-67-2 (where the victim was subject to commercial sexual activity), 11-67-3(a), 11-67-3(b) (where the victim was subject to commercial sexual activity), 11-67.1-3(c) (where the victim was subject to sexual servitude), 11-67.1-5(d), 11-67.1-6(c); or 11-5-1, where the specified felony is sexual assault; or § 11-23-1, where the murder was committed in the perpetration of, or attempted perpetration of, rape or any degree of sexual assault or child molestation; or any offense in another jurisdiction that is substantially the equivalent of any offense listed in this subsection or for which the person is or would be required to register under 34 U.S.C. § 20911 as amended, or any conviction for an attempt or conspiracy to commit an offense enumerated in this subsection.

Sexually Violent Predator: 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 a predatory sexually violent offense.

Predator: A person who act(s) is/are or were/was directed at a stranger, or a person with whom a relationship has been established or promoted for the primary purpose of victimization. The definition includes those who have a pre-existing familial relationship with the victim(s).

Risk Level Assessment: The level of danger to the community established by the Sex Offender Board of Review (SOBOR). There three risk levels:

1. **Risk Level I:** Describes a sexually violent offender whose risk assessment indicates a low risk of re-offense.
2. **Risk Level II:** Describes a sexually violent offender whose risk assessment indicates a moderate risk of re-offense.
3. **Risk Level III:** describes a sexually violent offender whose risk assessment indicates a high risk of re-offense.

Likely To Encounter: Describes organizations or community members in a location or in a close proximity to a location where an offender lives or is employed, or which an offender is likely to visit on a regular basis.

Other than the location of the offender's outpatient treatment program; and the types of interaction which ordinarily occur at these locations and other circumstances which indicate contact with an offender is reasonably certain.

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

Parent: A parent of a student, including a natural or adoptive parent, or guardian, or an individual acting as a parent or guardian.

Public and Private Educational Institutions: Any elementary, secondary and post-secondary educational institution authorized or licensed by the state of Rhode Island.

School Age Child: A minor child attending any public or private day-care, nursery, pre-school, Pre-Kindergarten, kindergarten elementary, middle schools, secondary, or post-secondary educational, institution authorized or licensed by the state of Rhode Island.

Community Services Notification Unit: Comprised of the Community and Traffic Services Unit. The unit implements the notification procedures recommended by the state SOGNU upon release of a convicted sexually violent offender who has chosen to reside within the City of Providence.

Offender Watch State Registry: The State of Rhode Island data base for all current and expired registered sex offenders.

PROCEDURE

- I. The Providence Police Department will receive notification from the Sex Offender Community Notification Unit (SOCNU) of the pending release of any convicted sexually violent offender who has chosen to reside within the city of Providence. The parole board determines the appropriate level of community notification for each sexually violent offender for jail and non-jail offenses. The Providence Police Department shall implement notification procedures consistent with the risk level assigned by the parole board. Investigation division personnel, uniformed division personnel, administration staff personnel, shall comply with procedures within their divisions and unit as follows.

The Providence Police Department shall submit their general community notification plans to the Sex Offender Community Notification Unit for approval every five (5) years. The Sex Offender Community Notification Unit shall review the departments Level II and Level III community notification plans for consistency across law enforcement agencies and for compliance with these Guidelines. Except that if the department should modify its community notification plan within that five (5) years, then the agency shall send within ninety (90) days a copy of its modified plan to the Sex Offender Community Notification Unit for approval.

A. RESPONSIBILITIES

Special Victims Unit- Assumes overall responsibility for departmental compliance with community notification requirements listed below, case file maintenance and community bulk mailing coordination with youth services bureau and administrative staff division.

Administrative Staff Division

1. Assist Special Victims Unit, in the coordination of bulk mailing notification consistent with community notification requirement.
2. Coordinate any media/internet web page public service requirements as stated in level II/III notification requirements.

II. RISK LEVEL NOTIFICATION REQUIREMENT

A. Level I Notification

1. Special Victim Unit personnel shall distribute an offender fact sheet to victim(s) of and witness(es) to crime committed by offender, if so requested by the victim/witness(es). It will be necessary for the victim(s)/witness(es) to provide the SOCNU and the Providence Police Dept. with a current mailing address in order for notifications to occur.
2. Special Victims Unit personnel shall distribute offender fact sheet to uniformed division for use at bulletin boards, e-mail etc.
3. Special Victims Unit personnel shall distribute offender fact sheet to the offender.

B. Level II Notification for Offenders Placed in a Residential Facility

1. Special Victims Unit personnel shall make offender fact sheet to victim(s)/witnesses in the same manner as Level I notification shown in paragraph 2(A)(1).
2. Special Victims Unit personnel shall make offender fact sheet notification to uniformed division in same manner as described in paragraph 2(A)(2).
3. Special Victims Unit personnel shall distribute offender fact sheet to offender.
4. Upon notification of the offender's scheduled release from residential facility, additional disclosure shall occur according to paragraph 2(C) below.

C. Level II Notification for Offenders Not Placed In a Residential Facility

1. Special Victims Unit personnel shall distribute offender fact sheet to victim(s)/witnesses in the same manner as described in paragraph 2(A)(1) and the uniformed division in the same manner as described in paragraph 2(A)(2).
2. Special Victims Unit shall distribute fact sheet to offender.
3. Special Victims Unit personnel shall disseminate offender fact sheet to Youth Services Bureau who will ensure distribution of offender fact sheet as follows:
 - a. Public elementary, middle and secondary schools. Special Victim Unit personnel shall distribute fact sheet to superintendent of public schools and to principal/director of each elementary, middle and secondary school within the city of Providence for the purpose of sharing information with school employees only.
 - b. Victim(s)/Witness(es)
 - c. Uniformed division/sworn departmental personnel
 - d. Offender
4. Upon notification of the offender's scheduled release from the residential facility, additional disclosure shall occur in a manner cited in the paragraph 2(E) below.

E. Level III Notification for Offenders Not Place In a Residential Facility

1. Notification shall be made to all persons and entities to which level II disclosure would be made according to paragraph 2 (C) listed above.
2. Special Victims Unit personnel shall distribute the offender fact sheet to any law enforcement agency having jurisdiction of an area in which the offender is likely to be encountered.
3. Additional disclosure of the offender fact sheet shall be made to any other member of the community the offender is likely to encounter. In determining the individual community members, establishments and

organizations who will receive the offenders fact sheet, Special Victims Unit personnel shall consider the offender's prior history, age, offense characteristics, employment, recreational, social, and religious interest and the characteristics of likely victims. Special Victims Unit commander will determine the mode of distribution of the offender fact sheets in this case and may call upon the district commanders to assist in this endeavor.

4. Special Victims Unit shall notify members of the community at large by utilizing the following resources:
 - a. District commanders shall assign members of his/her command to post offender fact sheets in the below stated locations within their perspective district:
 - City Hall
 - Main and branch libraries
 - Recreation centers
 - Sports facilities equipped with bulletin boards
 - b. Post the offender fact sheet on the Providence Police Dept. webpage for a period of not less than sixty days
 - c. All residents within a three-block radius, but not limited to, of the offender's address via fact sheet shall be notified by hand delivery to residents. Addresses will be obtained from city hall tax collector's office.
 - d. Private elementary, middle, and secondary schools in same manner as public schools as described in paragraph 2(C)(3)(aa) above.
5. Special Victims Unit personnel shall distribute offender fact sheet to district commanders who will ensure distribution of offender fact sheet to the following institutions/facilities within their respective district:
 - a. Private nursery, pre-school and kindergarten schools in the same manner a public/private schools described in paragraph 2(C)(3)(aa)&(bb).
 - b. Licensed day care providers and establishments in the same manner described in paragraph 2(C)(3)&(4).
 - c. Consider notifying and giving offender fact sheets to following organizations if the offender is likely to frequent or partake in activities within these organizations. In making these determinations, district commanders will receive guidance from the Special Victims Unit and consider the offender's prior history, offense characteristics, employment, recreational, social, and religious interests, and the characteristics of likely victims. These examples include, but not limited to:
 - Youth sports league (football, basketball, baseball, soccer, etc. coaches, and adult supervisory.)
 - Religious organizations (church personnel only)
 - Boy/Girl scouts, brownies, cub scouts, boys/girls clubs (employees, security, adult team leaders only)
 - Volunteer and community organizations which come in contact with children (adult supervisors, security only)

- Local merchant associations (employees, security only)
- Public and private sports facilities, bowling alleys, recreation centers and gymnasium (adult supervisors, security only)
- Entertainment facilities, movie theaters, community theater groups (employees, adult volunteers, security only)
- Neighborhood crime watch groups in neighborhoods where the offender is likely to be encountered.
- All public meeting facilities (supervisors, employees, adult volunteers, security, etc.)
- Libraries (employees, adult volunteer, security only)

F. Level III Notification For Offenders Placed in Residential Facility

1. Special Victims personnel shall distribute an offender fact sheet to the following personnel in the same manner as described in level I and II notifications (refer to paragraphs 2A(1)(2)&(3))
 - a. Victim(s)/Witness(es)
 - b. Uniformed division/sworn departmental personnel
 - c. Offender
2. Upon notification of the offender's scheduled release from the residential facility, additional disclosure shall occur in a manner cited in the paragraph 2(E) below.

G. Level III Notification for Offenders Not Placed in a Residential Facility

1. Notification shall be made to all persons and entities to which level II disclosure would be made according to paragraph 2(c) listed above.
2. Special Victims Unit personnel shall distribute the offender fact sheet to any law enforcement agency having jurisdiction of an area in which the offender is likely to be encountered.
3. Additional disclosure of the offender fact sheet shall be made to any other member of the community the offender is likely to encounter. In determining the individual community members, establishments and organizations who receive the offender's fact sheet, Special Victims Unit personnel shall consider the offender's prior history, age, offense characteristics, employment, recreational, social, and religious interest and the characteristics of likely victims. Special Victims Unit commander will determine the mode of distribution of the offender fact sheets in this case and may call upon the district commanders to assist in this endeavor.
4. Special Victims Unit shall notify members of the community at large by utilizing the following resources:
 - a. District commanders shall assign members of his/her command to post offender fact sheets in the below stated locations within their perspective district.
 - City Hall
 - Main and branch libraries
 - Recreation centers
 - Sports facilities equipped with bulletin boards

- b. Post the offender fact sheet on the Providence Police Dept. webpage for a period no less than sixty days
- c. District commanders and Special Victims Unit in coordination with public affairs will organize and utilize community meetings for the purpose of informing the public of the characteristics and method of sex offenders, basic safety procedures to minimize the likelihood of assault and information about the particular offender, including the distribution of the offender fact sheet. The department may utilize guidelines established by the national community information and education services, inc. in its publication "community notification: A blueprint for success".
- d. All residents within a three-block radius, but not limited to, of the offender's address via fact sheet shall be notified by **hand delivery** to residents. Addresses will be obtained from city hall tax collector's office.

H. Removal of Listing from Public Website Upon Death or Expiration of Registration Period

If an offender, who is statutorily required to be posted to the state public website, dies and sufficient proof of death or suggestion of death is provided to the Sexual Offender Community Notification Unit (SOCN Unit) (or its successor) then the public listing shall be removed; OR if the period during which an offender is required to register expires, then the public listing shall be removed.

III. RE – NOTIFICATION

- a. When an offender notifies the Department of the intent to move from the City of Providence or within the City, the Department shall:
 - 1. Obtain a copy of the Change of Address Notice from the offender. A copy of the form shall be distributed to the Chief of Police of the jurisdiction to which the offender intends to reside. A copy will be retained for the Providence Police Department's files;
 - 2. Provide the new agency with all relevant and necessary information in its possession on the offender, including the specific notification plan utilized for the offender. The new agency then has the responsibility for implementing a community notification plan at the level determined by the SOBR; and
 - 3. Determine if additional disclosure for other community members is necessary if the offender changes residence within the city. If so, additional disclosure shall be at the notification level determined by the SOBR.
- a. The Providence Police Department may periodically review its community notification files to determine if the re-notification of the community is appropriate due to changes in the make-up of the community. In making that determination, the Department shall

consider the nature and characteristics of the community, including the extent of changes in its population and membership.

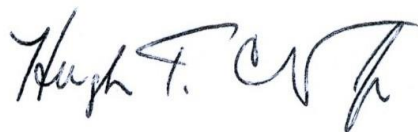
- b. The Department shall not, on its own, change the level of notification for any offender. If re-notification is appropriate, BCI personnel shall employ the same methods of notification it employed originally to the extent that it is feasible, consistent with the original recommendations by the SOBR.
- c. Upon notification by the SOBR of a reclassification of an offender's risk level, the Department shall implement a Community Notification Plan consistent with the SOBR's new risk assessment level and per this policy.

APPROVED:



STEVEN M. PARÉ
COMMISSIONER
DEPARTMENT OF PUBLIC SAFETY

APPROVED:



HUGH T. CLEMENTS, JR.
COLONEL
CHIEF OF POLICE