

Niagara Falls Police Department

GENERAL ORDER

EFFECTIVE DATE: 09/11/2013	SUBJECT: Sex Offender Registration and Community Notification	Number: 129.00 (NYSLEAP A -29- 6)
RESCINDS: 02/09/2011		Number of pages: 3

I. PURPOSE:

- A. The purpose of this policy is to ensure departmental compliance with The Sex Offender Registration Act, Article 6-C of NYS Correction Law also known as Megan's Law. Establishing a protocol for the accurate and timely registration and community notification of sex offenders residing or planning to reside in the City is a priority for the Niagara Falls Police Department.

II. POLICY:

- A. It shall be the policy of the Niagara Falls Police Department to assist in every reasonable and responsible way in community efforts to access data contained in the New York State Sex Offender Registry and the Niagara County Sheriff's Offender Watch Program.
 - 1. An informed community is paramount to the success of the Registry. The Sex Offender Registration Act empowers the community to familiarize themselves with the status of convicted sex offenders residing in their community. Furthermore, it provides information based decision making resources, enabling citizens to protect themselves and their families.

III. DEFINITIONS:

- A. Registry - The state, county or local database consisting of registered sex offenders maintained by the DCJS and area agencies.

B. Risk Level - Each registered sex offender has a risk of re-offense classification as determined by the Board of Examiners of Sex Offenders. They are designated as follows:

1. Level 1-low risk of re-offense.
2. Level 2-moderate risk of re-offense.
3. Level 3-high risk of re-offense; Level 3 offenders are considered "sexually violent predators".

Source: NYS Corrections Law Section 168 et seq.

IV. RULES AND REGULATIONS:

- A. Except as otherwise stated in this policy, information regarding registered sex offenders may be not be disseminated by Department members in response to an inquiry from the public. Such information shall be obtained from the Criminal Investigation Division, organizations of the community to which the Department has sent notifications, review of the DCJS Subdirectory, or by calling the DCJS 800 telephone number.
- B. Members are reminded of our duty to uphold the law and individual Rights provided under the U.S. Constitution in every circumstance.

VI. PROCEDURES:

A. Notifications from DCJS:

1. All Sex Offender Information Forms sent by DCJS shall be received and maintained by the Chief of Detectives or designee.
2. The Chief of Detectives shall ensure that the information contained in each Sex Offender Information Form is entered into the DCJS Sex Offender Registry/IMPACT/Offender Watch.
3. Authorized personnel shall use the database for monitoring and investigative purposes.
4. Upon the discovery or determination of a Sex Offender failing to register or to notify the appropriate agency of a change of address, the discovering officer shall, without delay, notify the Chief of Detectives or designee and/or the respective outside agency.

- a. The Chief of Detectives and/or designee is authorized to pursue an arrest warrant for any sex offender failing to register or update their address pursuant to Article 6-C of New York State Corrections Law.
- B. Public Access-Sex Offender Registry:
 - 1. A DCJS telephone service 1-800-262-3257 is available to the general public 24 hours a day, 7 days a week.
 - 2. The DCJS Subdirectory of the Level 2 and 3 Offenders is available online at www.criminaljustice.state.ny.us.
 - 3. The Niagara County Offender Watch Registry can be accessed online at <http://www.icrimewatch.net/index.php?AgencyID=54113>.
 - 4. The Offender Watch Registry may also be accessed through the department website, www.nfpolice.com or the Niagara County Sheriff's Office website: www.niagarasheriff.com.
- C. After a community notification is released, the vulnerable entities may responsibly disseminate the information in whole, or in part, at their discretion. The public may contact the vulnerable entity that disseminated the information for additional information. (See Community Notification-Sec. E)
- D. Appearance of Sex Offenders – The Chief of Detectives or his designee shall follow the NYS DCJS requirement for all individuals appearing to register or update a change of address as directed by the Sex Offender Registration Act.
- E. Community Notifications – The Chief of Detectives or his designee may divulge the registered address of any level 3 sex offender upon request from a school district or other vulnerable entity. All other requests shall be referred to the online DCJS Registry or telephone number listed above.
 - 1. Dissemination of information from this agency shall follow the guidelines set for in the DCJS Sex Offender Registry.