
	LOWER MERION TOWNSHIP POLICE DEPARTMENT Ardmore, Pennsylvania	
	Policy 3.9.6	
Subject:		Distribution:
Notification of Sexually Violent Offender		All Personnel
Date of Issue:	Expiration Date:	Rescinds:
06-01-2014	Until Amended or Rescinded	Directive: 06-101
References:		
CALEA: N/A; PLEAC: 4.8.1		
By Authority of:		
		Superintendent of Police

PURPOSE

The purpose of this policy is to provide police personnel with guidelines on the Pennsylvania Sexually Violent Predator Community Notification requirements. The primary goal of this department in regard to sexual predators is the protection and safety of the children and citizens in the community.

POLICY

It is the policy of this Department to comply with section 9797 and 9798 of the Pennsylvania Judicial Code (Title 42) in reference to written notifications made by the police department of the municipality where a sexually violent offender resides as required by 42 Pa. C.S.A. 9791, et seq.

A. Victim Notification

When an individual is determined to be a sexually violent predator by a court, the Pennsylvania State Police or municipal police who have jurisdiction shall give written notice to the sexually violent predator's victim. This notice must be given within 72 hours after the sexually violent predator registers or officially gives notification to the Pennsylvania State Police of a change of address. The victim notice shall contain the predator's name and address(s) where he/she resides. Upon receipt, the Investigations Unit Commander, or his designee, is responsible to notify the victim.
(PLEAC 4.8.1 f)

A victim may terminate the duty to inform by providing a written statement releasing the police department from the duty to comply with section 9797 of the Pennsylvania Judicial Code (Title 42).

B. Community Notification

1. Pennsylvania law allows sexually violent predator community notification in two circumstances:
 - a. In cases where the convicted sex offender is found by a court to be a sexually violent predator.
 - b. When a registered sex offender enters Pennsylvania from another state under the Interstate Compact for the Supervision of Adult Offenders Act.
2. The Pennsylvania State Police will provide notice to this department on the type and method of community notification. By law this agency is responsible for providing the written notice to the community. All notifications must contain the following:
 - a. The name of the convicted sexually violent predator. **(PLEAC 4.8.1 a i)**
 - b. The address or addresses at which he/she resides. **(PLEAC 4.8.1 a ii)**
 - c. The offense for which he/she was convicted. **(PLEAC 4.8.1 a iii)**
 - d. A statement that he/she has been determined by court order to be a sexually violent predator and the order is still valid. **(PLEAC 4.8.1 a iv)**
 - e. A photograph of the sexually violent predator, if available. **(PLEAC 4.8.1 a v)**
 - f. The notice shall not include any information that might reveal the victim's name, identity and residence.
3. Upon receipt of notification of a sexually violent predator, the Investigations Unit Commander, or his/her designee, is responsible for providing written notification to the following persons:
 - a. Neighbors of the predator. **(PLEAC 4.8.1 b 1)**
 - b. The director of the county children and youth service agency where the predator resides. **(PLEAC 4.8.1 b 2)**
 - c. The Lower Merion School District Superintendent and the equivalent official for private and parochial schools enrolling students up through grade 12 in the municipality where the predator resides or is located within one mile of where he resides. **(PLEAC 4.8.1 b 3)**

- d. The licensee or owner/operator of each certified daycare center and licensed preschool program or owner/operator of each registered family daycare home in the municipality where the predator resides. **(PLEAC 4.8.1 b 4)**
- e. The president of each college, university and/or community college located within 1,000 feet of a predator's residence. **(PLEAC 4.8.1 b 5)**

C. Urgency of Notification

Written notice must be provided within the following time frames:

1. To neighbors, notice shall be provided within 5 days after information of the predator's release date and residence location has been received by this agency. **(PLEAC 4.8.1 c 1)**
2. To all others, notice shall be provided within 7 days after the predator's release date and residence location has been received. **(PLEAC 4.8.1 c 2)**

D. Public Notice

All information provided in accordance with Section B shall be made available, upon request, to the general public. The information may be provided by electronic means. **(PLEAC 4.8.1 d)**

E. Interstate Transfers

The community notification duties of this agency shall also apply to interstate parolees designated as sexually violent offenders who are transferred to Pennsylvania pursuant to the Interstate Compact for the Supervision of Adult Offenders or the Interstate Compact for Juveniles. **(PLEAC 4.8.1 e)**

F. Documentation

All notifications pursuant to this directive and as required by law must be documented in an incident report coded 4580.

RESPONSIBILITY

It is the responsibility of all supervisory personnel to ensure that all personnel under their immediate supervision comply with this policy.

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