


<p>RABUN COUNTY SHERIFF'S OFFICE</p>  <p>General Order Number: 11.02</p>	<p>Date of Issue</p> <p>02/23/2016</p>	<p>Effective Date</p> <p>02/23/2016</p>	<p>Revision Date</p>
<p>Subject: SEX OFFENDER REGISTRY</p>	<p>Amends:</p>	<p>Rescinds:</p>	
<p>Index as: Registered Sex Offender, Sex Offender, Sexually Dangerous Predator</p>	<p>State Certification Standards:</p>		

PURPOSE

The purpose of this policy is to provide guidelines for properly registering sex offenders and for notifying the community when a convicted sex offender is living in Rabun County.

STATEMENT OF POLICY

It shall be the policy of the Rabun County Sheriff's Office to comply with applicable state and federal laws regarding the registration of convicted sex offenders and publication of that information.

DISCUSSION

O.C.G.A. 42-1-12(c) states "It shall be the duty of the sheriff of each county within this state to prepare and maintain a list of all sexual offenders and sexually dangerous predators residing in each county.

The residents of Rabun County shall be notified when a convicted sex offender subject to the provisions of OCGA 42-1-12 registers with the Rabun County Sheriff's Office. Notification shall be made using the procedures set forth in this policy and state law.

Due to frequent changes by the Georgia General Assembly in identifying which sex offenders are required to register under OCGA 42-1-12, agency personnel are directed to refer to a current copy of this code section for guidance in identifying which sex offenders are required to register.

DEFINITIONS

SEX OFFENDER — any individual who (A) Who has been convicted of a criminal offense against a victim who is a minor or any dangerous sexual offense; or (B) Who has been convicted under the laws of another state or territory, under the laws of the United States, under the Uniform Code of Military Justice, or in a tribal court of a criminal offense against a victim who is a minor or a dangerous sexual offense.

Sexually dangerous predator - a sexual offender:(A) Who was designated as a sexually violent predator between July 1, 1996, and June 30, 2006; or (B) Who is determined by the Sexual Offender Registration Review Board to be at risk of perpetrating any future dangerous sexual offense.

I. OUTSIDE AGENCY NOTIFICATION

- A. GCIC Services personnel will forward notifications concerning sex offenders who are required to register under the provisions of OCGA 42-1-12 to the Records Unit for handling.
- B. Designated personnel will prepare a file for the sex offender and place the notification in the file. When the sex offender reports for registration, the registration steps outlined below will be followed.

II. REGISTRATION

A. Sex Offender Initiated Registration

When agency personnel are approached by a sex offender attempting to register they will take the following action:

1. All sex offenders will be referred to the Investigative Unit for registration and advised of the designated times for registration.
2. The Criminal Investigations Sex Crimes officer or his/her designee will establish the designated times for registration in accordance with OCGA 42-1-12 and notify the Sexual Offenders that are required to register of the designated times
3. Designated personnel will make arrangements to register the convicted sex offender using the steps outlined below.
4. Registration information is forwarded by designated personnel to the GBI immediately following registration. The sex offender shall be notified in writing of his/her duty to report any change in temporary residence and/or permanent residence, employment and vocation address and status, school names, school addresses, and enrollment status within seventy-two (72) hours of any such changes. The sex offender and Rabun County Sheriff's Office personnel will sign the written notification. A copy will be provided to the sex offender and the original will be placed in the sex offender's file.

B. Registration Procedures

1. Required Information

The following information shall be gathered on the agency sex offender registration form for all sex offenders required to register under OCGA 42-1-12:

- a. Name, SSN, age, race, sex, DOB, height, weight, hair color, eye color
- b. Address
 - i. Permanent residence
 - ii. Temporary residence (in or out of state)
 - iii. Physical address, rural route, post office box
- c. If residence is a mobile home-Permit number
 - i. Name & address of the owner of the home,
 - ii. Description (color), location
- d. If residence is a Manufactured home-Permit number
 - i. Name & address of the owner of the home
 - ii. Description (color)
 - iii. Location
- e. If residence is a motor vehicle/trailer
 - i. VIN
 - ii. Tag number
 - iii. Description
- f. If residence is a Vessel, Live-aboard vessel or Houseboat
 - i. Hull ID number
 - ii. Serial number
 - iii. Name of said vessel
 - iv. Registration number
 - v. Description
- g. Vehicle
 - i. Make
 - ii. Model
 - iii. Color
 - iv. Tag
 - v. Vin Number
- h. Crime committed for which he/she is registering, date of offence, date of court conviction, age of victim and relationship to the victim.
- i. Location of conviction for which he/she is registering
 - i. City
 - ii. County
 - iii. State
- j. Date released from prison or placed on probation, parole, or supervised release.
- k. Vocation (Full-time, part-time, volunteer) place and address

- l. Institution of Higher Education. if enrolled, employed, or carrying on a vocation
 - i. Name of school
 - ii. Address
 - iii. County
 - iv. Campus
 - v. Status
 - m. Employment
 - i. Date of employment, ,
 - ii. Name or place of employer
 - iii. Address
 - n. Fingerprints and photograph
 - o. Any other identifying features
2. Additional Information

In order to gather as much information as possible about registered offenders, an effort to obtain the following additional information should be made, **but is not required by state law and the sex offender cannot be charged with a crime for failing to** provide this information. Because this information is not required by OCGA 42-1-12, it is not considered public record and must be **kept confidential**. The registering offender should simply be asked to provide the following information:

- a. Aliases, nicknames, maiden names;
 - b. Home, work, and school telephone numbers;
 - c. Location of any off-site work performed for the employer; and
 - d. Emergency contact information.
3. Information Provided to the Registered Sex Offender (OCGA 42-1-12)
- a. The sex offender will be given a copy of the completed registration form signed by the designated Records personnel;
 - b. A copy of the notification from the outside agency, if applicable;
 - c. And a form to notify the offender in writing of his/her duty to report any change in temporary residence and/or permanent residence, employment and vocation address and status, school names, school addresses, and enrollment status within seventy-two (72) hours of any such changes, and as required by Georgia Law.
 - d. The sex offender and designated Rabun County Sheriff's Office personnel will sign the written notification. A copy will be provided to the sex offender and the original will be placed in the sex offender's file.
4. Sex Offender Information Files

Designated Rabun County Sheriff's Office personnel will create and maintain files as follows:

- a. Each sex offender registered, or pending registration, in Rabun County will have an individual file. All records relating to this sex offender with respect to sex offender registration will be kept in this file.
- b. Sex offender registry files will be kept separate from other files and in a secured area to prevent loss, misfiling, and improper release of confidential information.

C. Seventy-Two Hour Rule

1. All sex offenders required to register under OCGA 42-1-12 have seventy-two (72) hours from the date released from prison or placed on parole, supervised release, or probation to register.
2. After the initial registration, the sex offender must renew his/her required registration information within seventy-two (72) hours prior to offender's birthday each year and be photographed and fingerprinted.
3. Update required information within 72 hours of any change to required information other than residence
4. If new residence
 - a. Report to Sheriff's Office of county residence within 72 hours prior to change
 - b. Report to Sheriff's Office of county moving to within 72 hours of establishing residence
5. If the sex offender fails to report for a required registration within seventy-two (72) hours, he/she is in violation of OCGA 42-1-12. In such an instance, the case will be forwarded to the Crimes against Persons Unit of the Criminal Investigation Division, and an investigation will be initiated to find the sex offender and charge the offender, if appropriate, under provisions of applicable laws including OCGA 42-1-12.
6. Reports of such individuals may come from official sources as well as lay people who have knowledge of the sex offender's conviction(s).
7. Upon initial registration, sex offenders will be required to pay a \$25.00 publication fee. Information required under state law will be forwarded to the county legal organ for publication.

D. Quarterly Cross-Check of Registry

In order to ensure the integrity of the sex offender registry, the designated Rabun County Sheriff's Office personnel will validate sex offender records by cross checking the Sheriff's Office files against the list on the GBI website.

E. Sexually Dangerous Predators

In addition to the above procedures, a Sexually dangerous predator must report on his/her birth date and six months following his/her birth month to update or verify his/her required information.

F. Address Verification

The Commander of the Criminal Investigations Division or his designee will arrange for the physical addresses of any new sex offenders to be verified by an in-person field visit to the offender's home [or place of work or school] if the offender is a nonresident entering Georgia for the purpose of work or attending school, as required by OCGA 42-1-12 (b) (3) (E) as follows:

1. The initial verification attempt will take place within five (5) working days of initial registration of the offender and attempts will continue until verification is made with the offender;
 2. The Commander of the Criminal Investigations Division or his designee will designate the frequency of follow-up verifications in accordance with the seriousness of the crime for which the Sexual Offender was placed on the registry for and/or his/her classification.
 3. All address verifications require a physical "face to face" meeting at the location where the registered sex offender claims to live and/or work;
 4. Any discrepancies will be noted, corrected, and the corrections forwarded to the GBI, and any additional parties with a legitimate need for the updated information.
 5. In the event of relocation or address change, the sex offender is required to re-register within seventy-two (72) hours and an additional address verification will be conducted.
- G. Any discrepancies noted in the sex offender registry will be corrected immediately by the designated personnel.
- H. Designated personnel will maintain photo lists of all sex offenders currently registered in Rabun County. These photo lists will contain only the information required to be published under OCGA 42-1-12. This list will be made available for public viewing as outlined below.
- #### I. Removal From the Registry

1. Registered Sex Offender entries must be removed from the published registry when the sex offender leaves the jurisdiction due to incarceration, death, relocation, or when the offender is no longer required to register.
2. Offender files removed from the registry will be retained by the Sheriff's Office and filed separately from the files for sex offenders actively on the published registry list.
3. All removed files will be retained for the duration of time that the offender is required to participate in Sex Offender Registration regardless of whether the offender is required to register in Rabun County. The files will then be kept for an additional three years for archival purposes. At the end of the three-year archival period, the files may be destroyed at the discretion of the Records Unit Supervisor.
4. A log of all destroyed Sex Offender Registry files will be maintained to distinguish between a missing or lost file and one that has been intentionally destroyed.

III. PUBLIC ACCESS TO INFORMATION

The information gathered pursuant to OCGA 42-1-12 must be made available to the public in an effort to protect the community from offenders required to register under OCGA 42-1-12, except that the identity of a

victim of an offense that requires registration under OCGA 42-1-12 shall not be released. The following methods will be used to make this information available to the public:

A. Electronic Notification

1. The Rabun County Sheriff's Office official web site will contain a link to the Georgia Bureau of Investigations website, where information on Registered Sex Offenders can be located. This information is available to the general public.
2. The Rabun County Sheriff's Office will also submit to the law enforcement agencies and schools within the jurisdiction of Rabun County a copy of the Sex Offender Registry via email within seventy-two (72) hours of any changes.
3. Additional notifications are sent to any individual or organization who sign up for notification on the Rabun County Sheriff's Office website.

B. Hard Copy Notification

1. The Sex Offender files shall be located in the Rabun County Sheriff's Office Investigative Division and be made available using the following guidelines:
 - a. Only the information required by law to be posted by the Sheriff's Office will be made available to the public
2. The Rabun County Sheriff's Office will provide manual or electronic lists of sexual offenders residing in the county and update any changes within seventy-two (72) hours at the:
 - a. sheriff's office
 - b. any county administrative building
 - c. main administrative building of any municipal corporation
 - d. office of clerk of superior court
 - e. public school systems



By Order of the Sheriff: **Chad K. Nichols**
Sheriff, Rabun County