

4.1.8 Notification of Sexually Violent Offender

I. POLICY

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

II. PURPOSE

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

III. PROCEDURES

A. 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 information to the Chief of Police, on how to perform community notification. The notification shall contain the following:
 - a. The name of the convicted sexual violent predator.
 - b. The address or addresses at which he/she resides.
 - c. The offense for which he/she was convicted.
 - d. A statement that he/she has been determined by court order to be a sexually violent predator and the order is still valid.
 - e. A photograph of the sexually violent predator, if available.
 - 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 Chief of Police, or his/her designee, is responsible as per law, for providing written notification of the following persons:

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- a. The sexually violent predator's victim.
- b. Neighbors of the sexually violent predator.
- c. The director of the county children and youth service agency where the sexually violent predator resides.
- d. The Greater Johnstown School District and the equivalent officials for private and parochial schools enrolling student through grade 12 in the municipality where the sexually violent predator resides.
- e. The superintendent of each school district and the equivalent official for each private and parochial school located within a one-mile radius of where the sexually violent predator resides.
- f. The licensee of each certified daycare center and licensed preschool program and owner/operator of each registered family daycare home in the municipality where the sexually violent predator resides.
- g. The president of each college, university and/or community college located within 1,000 feet of a sexually violent predator's residence.

B. Urgency of Notification

The Chief of Police shall direct that notice be provided within the following time frames.

1. To victims, notice shall be provided within 72 hours of receipt of the information.
2. To neighbors, notice shall be provided within five [5] days after information of the sexually violent predator's release date and residence location has been received by the Chief of Police.
3. To all others, notice shall be provided within seven [7] days after information of the sexually violent predator's release date and the Chief of Police has received residence location.

C. Public Notice

All information provided in accordance with this general order shall be made available, upon request, to the general public.

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D. Documentation

All notifications pursuant to this general order and as required by law, will be documented in an incident report. The incident report will be maintained in the department's computer network storage system. The department's Juvenile Officer will maintain a copy of the incident report, along with all paperwork concerning the sexually violent predator.

Effective Date:

Date: October 1, 2010

By Order Of:

Craig Foust
Chief Of Police