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HARFORD COUNTY SHERIFF'S OFFICE OPERATIONS POLICY

Convicted Sex Offender Registry

Distribution:	All Employees	Index:	OPS 1209
Responsible Unit:	Megan's Law Unit	Rescinds:	OPS 1209 dated 8/15/20
		MD Code:	See references

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1. Purpose

To provide members of the Harford County Sheriff's Office (HCSO) with guidelines regarding Convicted Sex Offender Registration.

2. Policy

The HCSO recognizes and respects the value and integrity of each community member and provides guidelines to deal with requirements of the State of Maryland Sex Offender Registry Statute: Maryland Criminal Procedure Article, Title 11, Subtitle 7 (all inclusive). This policy is for the specific use by all members of the HCSO.

3. References

Code of Maryland Regulations (COMAR) 12.06.01.07 - Registration Responsibilities – Local Law Enforcement. Maryland Code Annotated, Criminal Procedure Article, Title 11, Subtitle 7 (MD CP11-701-727). Maryland Code Annotated, Public Safety Article § 2-504(C)(1-2).

4. Procedures

A. Authority

1. COMAR 12.06.01.07 designates the HCSO as the local law enforcement entity responsible for the registration of convicted sex offenders in Harford County, Maryland.
2. The Megan's Law Unit (MLU) is designated by the HCSO to carry out the duties of convicted sex offender registration for Harford County in accordance with federal, state, and local requirements and guidelines.

B. Duties

1. The MLU will coordinate the activities of registration, verification, and investigation as they relate to registry compliance.
2. The MLU will act as liaison between the HCSO and other agencies to facilitate official activities concerning registrants and related topics.
3. The MLU will maintain a record system to facilitate collection, retrieval and reporting of necessary documents and data concerning the inventory of registrants.

4. Members of the MLU will attend court proceedings, testify, and present records as required for judicial proceedings.

C. Registration Procedure

1. The MLU will receive and process notifications from courts, correctional facilities, Maryland Department of Public Safety and Correctional Services, Sex Offender Registry, and other authorized sources concerning individuals who may be required to register in accordance with the Maryland Sex Offender Registry Statute.
2. The MLU will conduct research and collect any artifacts necessary to substantiate registration requirements including, but not limited to, criminal history, judicial records, law enforcement reports, correctional facility records, state registry records and data available from other relevant sources.
3. For initial registrations and re-registrations, the MLU will facilitate and ensure completion of all documents required to be submitted by registrants including, but not limited to, CJIS 16A, CJIS 16B, CJIS 16D and Notice of Future Registration (SO-103), all located in the Offender Watch (OW) system.
4. For changes of address, employment, college enrollment, vehicles, telephone numbers and Internet identifiers the MLU will facilitate and ensure the completion of Change of Address, Employment, or School Enrollment (SO-110) by the registrant in accordance with MD Code.
5. As required by statute, the MLU will obtain digital images of registrants, obtain fingerprints of registrants, and collect copies of identification and other relevant documents from registrants.
6. The MLU will compel submission of DNA samples by registrants in accordance with MD CP 11-708(b) (2) and MD Public Safety Article 2-501.
 - a. Samples will be collected in accordance with procedures specified by the Maryland State Police (MSP) Forensic Sciences Division (FSD) using materials supplied by the MSP FSD.
7. The MLU will process registration documents, enter relevant information into required information storage systems, and sufficiently document the registration processes.
8. The MLU will maintain registration schedules and monitor them to determine compliance with statutory registration requirements.
 - a. As required by statute, the MLU will disseminate registry information to the public by means including, but not limited to, uploading data to OW, publication on HCSO web site, electronic mail notification, telephone, and other appropriate means.
 - b. As required by statute, Agency personnel collecting samples must have successfully completed the MSP FSD annual requirement for training of personnel to perform DNA collections.

D. Address Verification Procedure

1. By physical inspection, the MLU or their designees seek to verify the address information reported by the registrant prior to public notification.
2. Indicators of compliance verification include, but are not limited to:

- a. Location of clothing and personal possessions at the address;
 - b. Information supplied by other residents and/or neighbors;
 - c. Property and utility records;
 - d. Employment records; and
 - e. Other relevant documents and observations.
3. Unannounced personal contact with the registrant at the reported place of residence is the preferred method of verification.
 - a. There may be occasions when personal contact is not preferred, but personal observation of the registrant at the address is required.
 - b. A verification that is determined by methods other than personal contact requires prior approval from an MLU supervisor.
 4. The verification attempts and disposition will be reported to the Harford County Department of Emergency Services in accordance with communications policy.
 5. Notations concerning verification attempts will be entered on the MLU Residence Verification Worksheet (SO-099).
 6. Verification efforts will be conducted until a logical conclusion can be determined; however, the MLU will seek to verify the residence address for new registrants within three business days of the registration including registrants transferring their registration from another county or state.
 7. For registrants whose previous registration and verification were completed in Harford County (re-registration) the MLU will seek to verify the residence address within five business days of the re-registration or relocation or until a logical conclusion can be determined.
 8. The MLU may conduct random verifications outside the scope of registration, re-registration, and relocation events.
 - a. Random verifications may be conducted as part of a cooperative effort with the Division of Parole and Probation or other associated agencies.
 - b. Random verifications may also be conducted at any time to verify any information required for registry purposes.
 - c. Random verifications do not necessarily require personal contact with the registrant.
 9. Verification results and documentation will be included in the registrant's MLU file and in OW.
 10. Statistics of verification attempts and dispositions will be maintained by MLU.

E. Investigative Procedure

1. An investigation will be initiated when non-compliance with registry requirements is reasonably suspected and there is no immediate resolution.
2. The scope of MLU compliance investigation will be limited to alleged violations of the MD Sex Offender Registry Statute.
 - a. Whenever a compliance investigation develops information indicating additional types of potential criminal activity the appropriate authority will be notified to continue that investigation.
3. Incident reports will be submitted, and investigations will be conducted in accordance with established HCSO policies and procedures.
4. Compliance investigations will include collection and analysis of all known physical evidence, documents, witness statements, images, and other artifacts relevant to the case.

F. Records Maintenance

1. MLU will maintain manual and digital records sufficient to document the activities of the Unit.
2. MLU will compile periodic statistical information and analysis for dissemination within the HCSO, Maryland Online Sex Offender Registry, and Grant authorities.
 - a. Requests for statistical information from other sources will be approved by a supervisor in the MLU prior to dissemination.
3. Forms and procedures for MLU will be periodically monitored and revised as needed to facilitate the mission of the Unit.

G. Harford County Detention Center (HCDC) Booking

1. During the booking process at the HCDC, when an individual is identified as a convicted sexual offender the Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130) will be completed.
2. HCDC personnel will complete the section that applies to the booking procedure.
 - a. The signatures of the registrant and HCDC personnel will be affixed in the designated areas.
3. The completed Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130) will be scanned and forwarded to the MLU e-mail group by the end of the HCDC employee's shift.
4. The original Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130) will be forwarded to the MLU through inter-Agency mail.

H. Release from Confinement


1. During the release process from the HCDC, when an individual is identified as a convicted sexual offender, the Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130) and the Sex Offender Registry Notice (CJIS Form 16C-HCSO) will be completed.
2. HCDC personnel will have the registrant complete the section that applies to the release procedure on the Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130).
 - a. The signature and printed name of the registrant and the signature, printed name, and Agency ID number of the HCDC personnel will be affixed in the designated areas on the forms.
3. The completed Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130) and Sexual Offender Registry Notice (CJIS 16C-HCSO) will be scanned and forwarded to the MLU e-mail group by the end of the HCDC employee's shift.
4. The original Notification of Incarceration/Release for Convicted Sexual Offender Registrant (SO-130) and Sex Offender Registry Notice (CJIS 16C-HCSO) will be forwarded to the MLU through inter-Agency mail.

I. Escape from Confinement

1. If a registrant escapes from the HCDC the shift Watch Commander will ensure that the MLU is notified of the escapee/registrant's identity by the most reasonable and expedient means available.
2. MLU will notify the local law enforcement unit in the jurisdiction where the registrant resided before being committed to the HCDC.
3. By communicating with the Office of the State's Attorney the MLU will facilitate the notification to each person who is entitled to receive notice under MD CP 11-715(a).

J. Recapture

1. When the escapee/registrant is recaptured the HCDC Watch Commander will ensure that the MLU is notified by the most reasonable and expedient means available.
2. The MLU will notify the local law enforcement unit in the jurisdiction where the registrant resided before being committed to the HCDC.
3. By communicating with the Office of the State's Attorney the MLU will facilitate the notification to each person who is entitled to receive notice under MD CP 11-715(a).

Approved

JEFFREY R. GAHLER
SHERIFF
DATE 11/22/2021