

# **POLICE DEPARTMENT HANOVER PARK, ILLINOIS**



DIRECTIVE: 435-I

REFERENCE STANDARDS:

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SUBJECT: Murderer and Violent Offender Against Youth and Sex Offender Registration

PURPOSE: The purpose of this policy is to outline the department's responsibilities and procedures under the Sex Offender Community Notification Law, 730 ILCS 152/101, the Sex Offender Registration Act, 730 ILCS 150/1 and the Murderer and Violent Offender Against Youth Registration Act, 730 ILCS 154/1.

## **I. BACKGROUND**

- A. The Illinois Sex Offender Registration Act (730 ILCS 150) establishes the requirements for the registration of sex offenders in Hanover Park. Department members who are assigned duties related to the registration of sex offenders are required to ensure that they operate in compliance with the law.
- B. The Illinois Murderer and Violent Offender Against Youth Registration Act, (730 ILCS 154) establishes the requirements for the registration of murderer offenders and violent offenders against youth in Hanover Park. Department members who are assigned duties related to the registration of murderer offenders and violent offenders against youth offenders are required to ensure that they operate in compliance with the law.

## **II. OFFENDER TYPES (DEFINTIONS)**

- A. Murderer and Violent Offender Against Youth Offender
  - a. Is identified in 730 ILCS 154/5 as any person who is charged and convicted pursuant to the Illinois law, or any substantially similar federal, Uniform Code of Military Justice, another state or foreign country law, with an offense set forth in 730 ILCS 154/5(b) or with the attempt to commit such an offense, or is found not guilty by reason of insanity for such an offense. Refer to the Murderer and Violent Offender Registration Act (730 ILCS 150/5) for qualifying offenses, terms of registration, and Registration Act Violations.
- B. Sex Offender
  - a. Is identified in 730 ILCS 150/2 any person who is charged and convicted pursuant to the Illinois law, or any substantially similar federal, Uniform Code of Military

Justice, another state or foreign country law, with a sex offense set forth in 730 ILCS 150/2(B) or with the attempt to commit such an offense, or is found not guilty by reason of insanity for such an offense. Refer to the Sex Offender Registration Act (730 ILCS 150/2) for qualifying offenses, terms of registration, and Registration Act Violations.

b. Offender Categories

- a. Adult – Any person who was found guilty in adult court and the victim was 18 years or older.
- b. Child – Any person who was found guilty in adult court and the victim was a juvenile.
- c. Juvenile – Any person who was adjudicated delinquent in juvenile court and the victim was a juvenile or an adult.

### III. REGISTRATION OF OFFENDERS

- A. The Investigations Bureau shall be responsible for registering all Murderer and Violent Offenders Against Youth Offenders, and Sex Offenders. The Investigations Supervisor shall designate member(s) of the Investigations Unit as Registration Officer(s). The Registration Officer for each registration shall:

1 Initial Registration

- a. Verify the offender's identity.
- b. If the offender is a Child Sex Offender, verify residence is outside 500 ft. requirements as specified in the Sex Offender Registration Act.
- c. Query the offender's name and birthday in LEADS.
- d. Photograph and fingerprint the offender.
- e. Enter the offender information and attach the photograph in Offender Watch®.
- f. Print pertinent forms from Offender Watch® and have them signed by the offender. (Appendix A or B as applicable)
- g. Refer to section VI of this policy for "collection of fees."
- h. Complete the Illinois State Police (ISP) Registration form for the offender type. (Appendix A or B as applicable)
- i. Ensure the ISP form is either read to the offender or read by the offender.
- j. Ensure the offender understands initials and signs the ISP form.
- k. Write an incident offense report documenting the registration and attach a copy of the ISP or Offender Watch registration form to the Case File in the Records Management System.
- l. Provide the registrant with a copy of the ISP Registration form.
- m. Retain the original ISP registration form and a copy of the report in the designated offender file.
- n. Provide a copy of the ISP Registration form to Records for LEADS entry.
- o. Issue an Intelligence Bulletin.

- p. Obtain copies of any police reports and court documentation related to the original charge and places it in the offender file.
- q. Email a copy of the ISP registration form and the offender photo to the Illinois State Police Sex Offender Registration Unit at [sorunit@isp.state.il.us](mailto:sorunit@isp.state.il.us),

## 2 Other Registration

- a. Update the offender's information in Offender Watch®.
- b. Complete the Illinois State Police Registration form for the offender type (Appendix A or B as applicable)
- c. Ensure the ISP form is either read to the offender or read by the offender.
- d. Ensures the offender understands initials and signs the ISP form.
- e. Write an incident offense report documenting the registration and attach a copy of the ISP Offender Registration form to the Case File in the Records Management System.
- f. Provide the registrant with a copy of the ISP Registration form.
- g. Retain the original ISP registration form and a copy of the report in the designated offender file.
- h. Provide a copy of the ISP Registration form to Records for LEADS entry.
- i. Attach the photographs as needed in Offender Watch®.
- j. Email a copy of the ISP registration form and the offender photo to the Illinois State Police Sex Offender Registration Unit at [sorunit@isp.state.il.us](mailto:sorunit@isp.state.il.us),

## 3 Moving Registration

- a. The offender will report in person to the Hanover Park Police Department and the Registration Officer will follow the registration procedure in III. A.1 or 2.

## 4 Homeless Registrations

- a. If the offender is homeless, the offender will complete the Homeless form. The Registration Officer will follow the registration procedure as specified in III.A.1 or 2.

## 5. Temporary Absences

- a. If the offender is a sex offender, the offender must report in person and give the Registration Officer an itinerary for travel and the Registration Officer will follow the registration procedure as specified in III. A. 2. The Registration Officer may notify the respective jurisdiction the offender is traveling to.

- b. If the offender is a Murderer and Violent Offender Against Youth Offender, the Registration Officer will follow the registration procedure as specified in III.A.2.
  - c. The Registration Officer may notify the respective jurisdiction the offender is traveling to only if in Illinois.
6. If the Registration Officer is not available, a Patrol Officer will notify the offender that the Registration Officer will contact him or her. The Patrol Officer will write an incident offense report and use the Uniform Crime Report (UCR) Code of "9508" and Title "Contact with Sex Offender" or use the Uniform Crime Report (UCR) Code of "9928" and Title "Citizen Assist" if the offender is a Murderer or Violent Offender Against Youth. The report will be forwarded to the Registration Officer for follow-up.
7. LEADS Entry
  - a. The Records Unit will within three days enter each offender registration into LEADS using the normal source for entries, or enter any changes into LEADS using the normal source of LEADS entries caution file.

#### IV. REGISTRATION VERIFICATION

##### A. Sex Offenders

1. Offenders will be checked semi-annually by the Investigations Bureau.
2. Prior to offender contact, the officer shall run the subject through LEADS and determine the subject's registration and wanted status. Investigators will also review any caution file information.
3. Officers will contact the Sex Offender in person to:
  - a. Inform the subject of the purpose of the visit.
  - b. Verify the subject's identity through documentation, physical description, etc.
  - c. At residence, make contact with registered subject and verify if registration information is correct.
  - d. Have the offender sign the Verification Request form. (Appendix C)
  - e. Verify subject is occupying residence (clothing, personal property, etc.).
4. If information has not been reported or has changed, the Sex Offender can be charged. Any changes made prior to the last registration may be charged under 730 ILCS 150/10. Changes made since the last registration but not reported may be charged under 730 ILCS 150/6.
5. Complete an incident offense report and use UCR code "4652" and Title "Sex Offender Check"

## B. Murderer and Violent Offenders Against Youth Offenders

1. Offenders will be checked annually by the Investigations Bureau.
2. Prior to offender contact, the officer shall run the subject through LEADS and determine the subject's registration and wanted status. Investigators will also review any caution file information.
3. Officers will contact the Murderer and Violent Offender Against Youth Offender in person to:
  - a. Inform the subject of the purpose of the visit.
  - b. Verify the subject's identity through documentation, physical description, etc.
  - c. At residence, make contact with registered subject and verify if registration information is correct.
  - d. Have the offender sign the Verification Request form. (Appendix C)
  - e. Verify subject is occupying residence (clothing, personal property, etc.).
4. If information has not been reported or has changed, the Murderer and Violent Offender Against Youth can be charged.
5. Complete an incident offense report and use UCR code "4652" and Title "Murderer and Violent Offender Check"

## V. COMMUNITY NOTIFICATION

### A. Sex Offenders

1. Juvenile Sex Offender information shall not be disseminated to the general public unless public safety may be compromised for some reason related to the juvenile sex offender. The Registration Officer shall provide a copy of the Sex Offender Registration form to the school in which the juvenile offender is enrolled. The form shall be given to the chief administrative officer or principal and any guidance counselor designated by the principal or chief administrative officer. The principal or guidance counselor The Registration Officer shall advise the school personnel that this form is to be kept separate from the offender's school records (730 ILCS 152/121). Juvenile sex offenders who turn age 18 are still treated as juvenile offenders with regard to their sex offender registration status.
2. Personnel may disclose at their discretion, the following information to any person likely to encounter an Adult or Child Sex Offender:
  - a. The offender's name, address, date of birth, e-mail addresses, instant messaging identities, chat room identities, and other Internet communications identities, all Uniform Resource Locators (URLs) registered or used by the sex offender, and all blogs and other Internet sites maintained by the sex offender or to which the sex offender has uploaded any content or posted any messages or information.
  - b. The offense for which the offender was convicted.
  - c. Adjudication as a sexually dangerous person.

- d. The offender's photograph or other such information that will help identify the sex offender.
  - e. Offender employment information, to protect public safety.
3. Public Access
- a. The Sex Offender Community Notification Law provides that every municipal police department shall make available for public inspection at its headquarters, to any person, no later than 72 hours or 3 business days from the date of request, the information on all sex offenders who are required to register in the municipality under the Sex Offender Registration Act. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information can be copied.
  - b. Individuals requesting access to the list will be informed they can obtain the requested information by making an appointment with the Registration Officer or his designee, pursuant to the guidelines set forth in 730 ILCS 152/120(c).
  - c. Access to the list will not be withheld unless unusual circumstances prevail which alert the department to possible criminal activity.
  - d. Individuals requesting public access to the registry may be charged a fee, but the fee may not exceed the actual costs of copying the information. This fee shall follow the guidelines set forth in the Freedom of Information Act (FOIA) 5 ILCS 140/6(b). An inquirer must be allowed to copy this information in his or her own handwriting. Only information as specified in 730 ILCS 152/120(c) will be provided. (Appendix F)
4. Except as provided in the Sex Offender Community Notification Law, Sex Offender information shall not be open to inspection by the public, or by any person other than by a law enforcement officer or other individual as may be authorized by law and shall include law enforcement agencies of this State, any other state, or of the federal government. Similar information may be requested from any law enforcement agency of another state or of the federal government for purposes of this Act. It is a Class B misdemeanor to permit the unauthorized release of any information.

#### B. Murderer and Violent Offenders Against Youth Offenders

- 1. Except as provided in the Murderer and Violent Offender Against Youth Community Notification Law (730 ILCS 154/95), Murderer and Violent Offenders Against Youth information is not be open to inspection by the public, or by any person other than by a law enforcement officer or other individual as may be authorized by law and shall include law enforcement agencies of this State, any other state, or of the federal government. Similar information may be requested from any law enforcement agency of another state or of the federal

government. It is a Class B misdemeanor to permit the unauthorized release of any information.

## 2. Public Access

- a. The Violent Offenders Against Youth Community Notification Law provides that every municipal police department shall make available for public inspection at its headquarters, to any person, no later than 72 hours or 3 business days from the date of request, the information on all violent offenders against youth who are required to register in the municipality under the Murderer and Violent Offender Against Youth Registration. The request must be made in person, in writing, or by telephone. Availability must include giving the inquirer access to a facility where the information can be copied.
- b. Individuals requesting access to the list will be informed they can obtain the requested information by making an appointment with the Registration Officer or his designee, during regular business hours and then appearing in person to the Police Department, pursuant to the guidelines set forth in 730 ILCS 154/95(c).
- c. Access to the list will not be withheld unless unusual circumstances prevail which alert the department to possible criminal activity.
- d. Individuals requesting public access to the registry may be charged fee, but the fee may not exceed the actual costs of copying the information. An inquirer must be allowed to copy this information in his or her own handwriting.
- e. Only information as specified in 730 ILCS 154/95(c) will be provided. (Appendix G )

## VI. FEES

### A. Sex Offenders

1. Sex offenders shall pay a \$100 initial registration fee and a \$100 annual renewal fee to the Police Department at time of registration.
  - a. The fee may be waived if the Registration Officer determines that the person is indigent and unable to pay the registration fee.
    1. To determine whether offender is indigent, the offender shall complete the Registration Fee Waiver Application. (Appendix D)
    2. The Registration Fee Waiver Application will be submitted to and reviewed by the Investigations Supervisor who will determine whether the fee is waived.

3. The Registration Officer shall place the funds and Offender Watch receipt in a plain envelope marking the envelope with the case number, registrant's name and receipt number issued by Offender Watch.
4. The Registration Officer shall take the envelope and money to records and turn it over to a records clerk who will record the funds in the established receipt log.
5. The records clerk shall then drop the envelope / money in the same safe as the impound money.
6. The following morning the designated records employee shall receive the funds from the safe and create a receipt for the money showing that it was transferred to the finance department.

b. Finance Department Responsibilities

1. Establish a revenue account to accept the receipt of the \$100 registration fees.
2. Within 30 days of receipt for deposit the finance department shall disperse monies pursuant to state statute 730 ILCS 150/3(c)6.
3. Send monies as directed to the appropriate vendor as stated by statute.

2. The Registration Officer will record the fee and print a receipt in Offender Watch®. (Appendix E)

B. Murderer and Violent Offenders Against Youth

1. Murderer and Violent Offenders Against Youth shall pay a \$20 initial registration fee and a \$10 annual renewal fee to the Police Department at time of registration.
  - a. The fee may be waived if the Investigations Lieutenant determines that the person is indigent and unable to pay the registration fee.
    - 1) To determine whether offender is indigent, the offender shall complete the Registration Fee Waiver Application. (Appendix D)
    - 2) The Registration Fee Waiver Application will be submitted to and reviewed by the Investigations Lieutenant who will determine whether the fee is waived.



- 3) The Registration officer shall place the funds, and an offender watch receipt in a plain envelope marking the envelope with the case number, Registrants name and Offender Watch receipt number.
- 4) The Registration officer shall take the envelope and money to records and turn it over to a records clerk who will record the funds in the established receipt log.
- 5) The records clerk shall then drop the envelope / money in the same safe as the impound money.
- 6) The following morning the designated records employee shall receive the funds from the safe and create a receipt for the money showing that it was transferred to the finance department.

b. Finance Department Responsibilities

1. Establish a revenue account to accept the receipt of the registration fees.
  2. Within 30 days of receipt for deposit the finance department shall disperse monies pursuant to state statute 730 ILCS 154/10(c)5.
  3. Send monies as directed to the appropriate vendor as stated by statute.
2. The Registration Officer will record the fee and print a receipt in Offender Watch©. (Appendix E)