

	<b>SECTION:</b>	<b>SERVICES</b>	<b>SER-322</b>
	<b>CHAPTER:</b>	<b>RECORDS</b>	
	<b>DIRECTIVE:</b>	<b>RELEASE OF SEXUAL OFFENDER INFORMATION</b>	

**322.01 SUMMARY**

The Colorado General Assembly has found that the public must have limited access to information concerning persons convicted of offenses involving unlawful sexual behavior to allow the public to adequately protect themselves and their children from these persons. A convicted sex offender has a reduced expectation of privacy regarding information about his/her identity and location. This directive describes the procedures regarding the release of information about sexual offenders.

Information about a sexual offender residing within the community, who has been convicted of an unlawful sexual offense, may be released to the public under the circumstances as outlined in this directive reference **C.R.S. 16-22-101**.

**322.02 DEFINITIONS**

**SEX OFFENDER** – Any person who has been convicted in the State of Colorado, or other jurisdiction, of any sex offense is required to register as a sex offender pursuant to **C.R.S. 18-3-412.5 (1)(a), (b), (c), and (d)**; or by the law of such other jurisdiction, applicable to registered sex offenders.

**NEED TO KNOW** – An interest in such information by a person who shows a compelling and legitimate basis to be provided such information under this policy. Such individual(s) may include but will not be limited to a city resident, victim, parent, guardian or relative of a victim; or other person(s), who show that such a release of information has a direct impact upon them. The Department will, at a minimum, consider the nature and extent of the person’s or members of their immediate family’s presence within the jurisdiction of the City of Grand Junction, when evaluating such a request for information.

**OFFICERS RELEASE OF INFORMATION** – Officers may release generic information about a person’s status as a registered sex offender, in rare circumstances, absent a citizen request. Such a release may include identifying a specific individual as a registered sex offender, provided the officer can articulate that the party they are releasing the information to has either a compelling need to know, or is a resident of the City of Grand Junction. A compelling need to know may involve consideration of the person(s) “personal safety” to whom the information is to be released. In the event this type of generic or limited release prompts the request for additional or specific information, Officers shall refer the citizen to the Records Section during normal business hours for such requests.

**322.03 AUTHORIZED  
RELEASE OF  
INFORMATION**

**RECORDS SECTION RELEASE OF INFORMATION** – Only the following information may be released regarding a convicted sex offender in accordance with this directive:

- The sex of the person.
- A physical description of the person, including a recent picture of the person.
- The person's residence address in the City of Grand Junction, if available.
- The record of any convictions of the person for unlawful sexual conduct which resulted in the person being required to register as a Sex Offender under state law, or under similar provisions of other jurisdictions, if available.

**322.04 UNAUTHORIZED  
RELEASE OF  
INFORMATION**

**NO RELEASE** will be made concerning:

- The identity of any victim of any such sex offender; or
- The identity of any other non-offender parties to an offense.

**322.05 RELEASE OF  
INFORMATION  
PROCEDURES**

**CITY RESIDENTS** – Any resident of the City of Grand Junction is presumed to have a need to know, and may request information regarding sex offenders in accordance with this directive.

**OTHER RESIDENTS** – A person residing outside the City of Grand Junction may also request such information when necessary for public protection and the showing by that person of a need to know. That information is provided by CBI upon receiving a request from GJPD.

**ANY OR ALL REQUESTS FOR INFORMATION** – All persons, regardless of residency, desiring the release of information pursuant to this directive must:

- Appear personally at the Police Department Records Section to make the request
- Show picture identification which establishes that the person is at least 18 years of age (unless accompanied by a parent or legal guardian who shows picture identification that the parent or legal guardian is at least 18 years of age)
- Produce satisfactory proof of residence or, if applicable, satisfactory evidence of the person's need to know;

**RELEASE OF INFORMATION  
PROCEDURES (con't)**

- Complete, in the presence of a representative of the Police Department Records Section, a Request for Sex Offender Information Form; and
- Pay the appropriate fees for the information requested.

**322.06 DISCLAIMER**

Any Department employee releasing information regarding sexual offenders will ensure that the following disclaimer is provided to the person requesting release of information.

**“The state sex offender registry includes only those persons who have been convicted of certain acts of unlawful sexual behavior since July 1<sup>st</sup>, 1991, and who are in compliance with the sex offender registration laws. Persons should not rely solely on the sex offender registry as a safeguard against perpetrators of sexual assault on their communities. The crime for which a person is convicted may not accurately reflect the level of risk.”**

Though this disclaimer normally appears at the top of the Sex Offender list, the employee releasing said information will ensure the disclaimer does appear on the list. If the disclaimer does not appear on the list, the employee will provide a copy of the disclaimer along with any other documentation released.

Persons requesting sexual offender information should be advised all information released pursuant to this directive is released under the specific condition that, while such information is the most current available to the Police Department as of the date of the request, no assurance can be provided concerning the accuracy or completeness of that information.

