



**SPRINGFIELD TOWNSHIP POLICE DEPARTMENT**  
**Wyndmoor, Pennsylvania**

**Policy 4-08**

**Policy Title:** Sexually Violent Predators

**Date of Issue:** December 1, 2022

**Rescinds:** None

**By Authority of:**

**Chief of Police**

**I. Purpose**

The purpose of this policy is to provide guidelines to all department personnel for implementing the requirements of Section 9799.27 and 9799.26 of the Pennsylvania Judicial Code, Title 42 in reference to notification of sexually violent predators or sexually violent delinquent children residing within the jurisdiction of the Springfield Township Police Department.

**II. Policy**

A paramount concern of the Springfield Township Police Department is the continued safety of all residents of the community. Notifications made to appropriate individuals and agencies of the residency of a sexually violent predator or sexually violent delinquent child within the jurisdiction of the Springfield Township Police Department assists in fulfilling this safety concern. Therefore, it shall be the policy of this department to implement and adhere to the mandates for notification of residency of sexually violent predators or sexually violent delinquent children as provided for in Section 9798 of the Pennsylvania Judicial Code, Title 42.

**III. Definitions**

A. Sexually Violent Predator – An individual who committed a sexually violent offense on or after December 20, 2012, for which the individual was convicted, specified in:

1. Section 9799.14(b)(1), (2), (3), (4), (5), (6), (8), (9) or (10) (relating to sexual offenses and tier system) or an attempt, conspiracy or solicitation to commit any offense under section 9799.14(b)(1), (2), (3), (4), (5), (6), (8), (9) or (10);
2. Section 9799.14(c)(1), (1.1), (1.2), (1.3), (2), (3), (4), (5) or (6) or an attempt, conspiracy or solicitation to commit an offense under section 9799.14(c)(1), (1.1), (1.2), (1.3), (2), (3), (4), (5) or (6); or

3. Section 9799.14(d)(1), (2), (3), (4), (5), (6), (7), (8) or (9) or an attempt, conspiracy or solicitation to commit an offense under section 9799.14(d)(1), (2), (3), (4), (5), (6), (7), (8) or (9) who is determined to be a sexually violent predator under section 9799.24 (relating to assessments) due to a mental abnormality or personality disorder that makes the individual likely to engage in predatory sexually violent offenses. The term includes an individual determined to be a sexually violent predator or similar designation where the determination occurred in another jurisdiction, a foreign country or by court martial following a judicial or administrative determination pursuant to a process similar to that under section 9799.24 where the determination or designation is based on the commitment of a sexually violent offense on or after December 20, 2012, for which the individual was convicted.
- B. Sex Offender - An individual who has committed a sexually violent offense. The term includes a sexually violent predator.
  - C. Neighbor - Those persons occupying residences or places of employment, or both, located within a 250-foot radius of a sexually violent predator's residence, or the 25 most immediate residences or places of employment, or both, in proximity to the sexually violent predator's residence, whichever is greater. Where the sexually violent predator lives in a common interest community, the term "neighbor" includes the unit owner's association and residents of the common interest community (as partly defined by Title 42, Section 9798).
  - D. Sexually Violent Delinquent Child - As defined in section 6402 (relating to definitions) if the determination as a sexually violent delinquent child is based on an act of sexual violence, as defined in section 6402, committed on or after December 20, 2012, for which the child was adjudicated delinquent and determined to be in need of commitment for involuntary treatment as specified in Chapter 64 (relating to court-ordered involuntary treatment of certain sexually violent persons).

#### **IV. Procedures**

- A. Notification Requirements
  1. When a sexually violent predator or sexually violent delinquent child, as defined in this policy, is living within this agency's jurisdiction, it shall be the responsibility of the Chief of Police to provide written notification of this fact to the following people:
    - i. Neighbors of the sexually violent predator or sexually violent delinquent child.
    - ii. The Director of the Montgomery County Children and Youth Agency.
    - iii. The superintendent of the appropriate school district and the equivalent official of any private or parochial school within the municipality where the sexually violent predator or sexually violent delinquent child resides.

- iv. The superintendent of the appropriate school district and the equivalent official of any private or parochial school located within a one-mile radius of the sexually violent predator's or sexually violent delinquent child's residence.
  - v. The licensee of each certified day care center and licensed pre-school program within the jurisdiction.
  - vi. The owner / operator of each registered family day care home within the jurisdiction.
  - vii. The president of each college, university, and community college located within 1,000 feet of a sexually violent predator's or sexually violent delinquent child's residence.
2. Written notifications shall contain the following information:
- i. The name of the convicted sexually violent predator or sexually violent delinquent child.
  - ii. The address or addresses at which the sexually violent predator or sexually violent delinquent child is residing.
  - iii. The offense for which the offender has been convicted.
  - iv. A statement that the sexually violent predator or sexually violent delinquent child has been determined by court order to be a sexually violent predator or sexually violent delinquent child and that the order is current.
  - v. A photograph of the sexually violent predator or sexually violent delinquent child, if available.
  - vi. The written notification shall NOT include any information that might reveal the victim's name, identity, and residence.
3. Notification shall be completed within the following time frame and to the following persons:
- i. To neighbors, notice shall be provided within five (5) days after information of the sexually violent predator's or sexually violent delinquent child's release date and residence has been received by the Chief of Police. Notwithstanding the provisions of subsection (a) and (b) of Section 9798 of the Pennsylvania Judicial Code, Title 42, verbal notification may be used if written notification would delay meeting this time requirement.
  - ii. To persons specified in subsection 1 (ii-vii) of this policy, notice shall be provided within seven (7) days after the Chief of Police receives information regarding the

sexually violent predator's or sexually violent delinquent child's release date and residence.

- iii. The victim of a sexually violent predator or sexually violent delinquent child, as determined in section 9795.4, shall be given written notice within 72 hours, upon official notification to the department of the change of address of the sexually violent predator or sexually violent delinquent child. This notice shall contain the predator's name and address(es) where they reside.
  - iv. All information provided in accordance with this policy shall be available, upon request, to the general public. This information may also be provided by electronic means to the public.
  - v. The duties of the department under this policy shall also apply to individuals who are paroled to this Commonwealth pursuant to Section 33 of the Act of August 6, 1941 (P.L. 861, No 323).
4. If an individual is only identified as an offender and not a sexually violent predator or sexually violent delinquent child, notifications shall not made. Some victims, however, may still have to be notified pursuant to the Victim's Bill of Rights, provided that the victim meets the criteria for notification under that law.
  5. In all cases, an incident report shall be written and the flyer shall be attached. Department personnel shall be electronically advised of any sex offender, sexually violent predator, or sexually violent delinquent child who work or reside within the jurisdiction of the department.

B. Notification Responsibilities

1. The Chief of Police, or his designee, shall be responsible for compliance with the provisions outlined in this Policy. Additional personnel, to include detectives, may be called upon to assist with notifications.
2. The Lieutenant shall be contacted upon receipt of information that a sexually violent predator or sexually violent delinquent child resides in the jurisdiction of the Springfield Township Police Department.