

Policy 667 - Notification of Convicted Sexual Offenders

The Lower Columbia College Safety and Security Department considers the protection of our campus community to be of the utmost importance. The **1990 Community Protection Act** (www.dshs.wa.gov/bha/community-protection-act-1990) attempts to provide adequate notice to the community regarding sex offenders attending or working on campus.

1. Authority

Public agencies are authorized to release information to the public regarding sex offenders and kidnapping offenders when the agency determines that disclosure of the information is relevant and necessary to protect the public and to counteract the danger created by a particular offender.

This applies to any information regarding:

- Any person convicted of a sex offense as defined in **RCW 9A.44.130** (app.leg.wa.gov/rcw/default.aspx?cite=9a.44.130) or a kidnapping offense as defined by **RCW 9A.40** (app.leg.wa.gov/RCW/default.aspx?cite=9A.40) ;
- Any person under the jurisdiction of the **Indeterminate Sentence Review Board (ISRB)** (www.doc.wa.gov/corrections/isrb/default.htm) as the result of a sex or kidnapping offense;
- Any person committed as a sexually-violent predator under chapter **RCW 71.09** (apps.leg.wa.gov/rcw/default.aspx?cite=71.09) or as a sexual psychopath under chapter **RCW 71.06** (app.leg.wa.gov/RCW/default.aspx?cite=71.06) ;
- Any person found not guilty of a sex or kidnapping offense by reason of insanity under chapter **RCW 10.77** (apps.leg.wa.gov/RCW/default.aspx?cite=10.77) ; and
- Any person found incompetent to stand trial for a sex or kidnapping offense and subsequently committed under chapter **RCW 71.05** (apps.leg.wa.gov/rcw/default.aspx?cite=71.05) or **RCW 71.34** (apps.leg.wa.gov/RCW/default.aspx?cite=71.34) or (**RCW 4.24.550(1)** (apps.leg.wa.gov/RCW/default.aspx?cite=4.24.550)).

In accordance with the **Megan Nicole Kanka and Alexandra Nicole Zapp Community Notification Program** (34 U.S.C. § 20923) (uscode.house.gov/view.xhtml?req=granuleid:USC-prelim-title34-section20923&num=0&edition=prelim) , and the "Campus Sex Crimes Prevention Act" of 2000 (www.federalregister.gov/documents/2002/10/25/02-27257/guidelines-for-the-campus-sex-crimes-prevention-act-amendment-to-the-jacob-wetterling-crimes-against) , the Lower Columbia College Safety and Security Department provides a link to the **Cowlitz County Sheriff's Office Sex Offender webpage**. (www.co.cowlitz.wa.us/979/Registered-Sex-Offenders) This act requires institutions of higher education to issue an annual statement advising the college community where law enforcement information regarding registered sex offenders may be obtained. It also requires a registered sex offender to notify each

institution of higher education in the state that they are employed, carries a vocation, or are a student.

Registered sex offenders and kidnapping offenders must give notice to the Cowlitz County Sheriff's Office within three business days, prior to arriving at the College to attend classes, prior to starting work at the College or after any termination of enrollment or employment at the College per **RCW 9A.44.130(1)**. (app.leg.wa.gov/rcw/default.aspx?cite=9a.44.130)

Pursuant to the **Community Protection Act of 1990**, (www.dshs.wa.gov/bha/community-protection-act-1990) the Cowlitz County Sheriff's Office is the lead agency for compiling and maintaining information on sex offenders residing in Cowlitz County.

Using this public information to threaten, intimidate, or harass kidnap and/or sex offenders will not be tolerated by law enforcement agencies of Cowlitz County. Additionally, any student violating this provision could be subject to the Lower Columbia College Student Code of Conduct.

2. Immunity

A College official or employee is immune from civil liability for damages for a release of relevant and necessary information unless it is shown that the College official or employee acted with gross negligence or in bad faith. (RCW 4.24.550).

Historical Information

- Reviewed by Executive Leadership Team - August 31, 2020
- 3-18-20 – Approved by Executive Leadership Team (ELT)

Resource/Reference/ Procedure	Title	Unit Responsibility
Procedure 667.1A (services4.lowercolumbia.edu/info/webResources2/Internal/Policy/Procedure_667.1A_Feb._20.pdf)	Notification of Convicted Sexual Offenders	