

**From:** [Tami Micheau](#)  
**To:** [Tami Micheau](#)  
**Subject:** FW: State Notice of Offenders procedures  
**Date:** Tuesday, November 20, 2018 2:20:26 PM

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**From:** Casey Schaufler  
**Sent:** Tuesday, November 13, 2018 4:35 PM  
**To:** Amy Buckler <[abuckler@ci.olympia.wa.us](mailto:abuckler@ci.olympia.wa.us)>  
**Cc:** Colin DeForrest <[cdeforre@ci.olympia.wa.us](mailto:cdeforre@ci.olympia.wa.us)>  
**Subject:** RE: State Notice of Offenders procedures

Additional information:

Thurston County notifies and makes available the fixed address of all level 2 and level 3 sex offenders. Level 1 sex offenders who are transient or lack a fixed residence are included on the publicly available sex offender search website. Additionally, if the transient level 1 sex offender is out of compliance with reporting every 7 days, non-compliance information is included on the county sex offender tracking website. Failure to remain compliant is a felony per Chp. 9A.44.132.

Lacks a fixed residence" means the person does not have a living situation that meets the definition of a fixed residence and includes, but is not limited to, a shelter program designed to provide temporary living accommodations for the homeless, an outdoor sleeping location, or locations where the person does not have permission to stay.

OFFENDERS WHO LACK A FIXED RESIDENCE: Any offender who lacks a fixed residence and enters and remains within a new county for twenty-four hours is required to register with the county sheriff not more than three business days after entering the county. Offenders who lack a fixed residence and who are under the supervision of the department of corrections shall register in the county of their supervision. A person who lacks a fixed residence must report weekly, in person, to the sheriff of the county where he or she is registered. The weekly report shall occur during normal business hours. An offender must report one time each week in order to remain in compliance.

The person must keep an accurate accounting of where he or she stays during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large pursuant to RCW 4.24.550.

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**From:** Casey Schaufler  
**Sent:** Tuesday, November 13, 2018 10:46 AM  
**To:** Amy Buckler <[abuckler@ci.olympia.wa.us](mailto:abuckler@ci.olympia.wa.us)>  
**Cc:** Colin DeForrest <[cdeforre@ci.olympia.wa.us](mailto:cdeforre@ci.olympia.wa.us)>  
**Subject:** RE: State Notice of Offenders procedures

Amy and Colin –

Based on RCW Chapters 9A.44 and 4.24, the reporting requirements generally fall on the Thurston County Sheriff. They must share registrant information with local law enforcement as appropriate. The City of Lacey has a concise rundown of [requirements on their website](#). For our purposes, please see some highlights below.

- If an offender ceases to have a fixed residence, they shall provide the Thurston County Sheriff's Office with written notice within 48 hours of ceasing to have a fixed residence.
- If the offender lacks a fixed residence, they must report in person to the county sheriff's office where they last registered on a weekly basis. The report date for the Thurston County Sheriff's Office is Mondays between the hours of 8:30 AM to 4:00 PM excluding holidays, where the report date will be the following workday.
- If the offender lacks a fixed residence, on their report date, they will be required to furnish the Thurston County Sheriff's Office with the address and/or locations they spent the previous seven (7) days. As a transient, regardless of classification level, the Thurston County Sheriff's Office will be notifying the public at large of their presence in the community.
- As a transient sex offender, if they enter and stay in another county for more than 24 hours, they are required to register in the new county. If they move to another county, state, or foreign country they are required to send notice to the Thurston County Sheriff's Office within 10 days.

Under RCW Chap. 4.24, public notice requirements are as follows:

- Law enforcement only needs to provide public notice regarding Level 1 offenders to local law enforcement where the offender resides, to any academic institution where the offender is a student, or upon specific request regarding the offender in question. **RCW 4.24.550 (3) (a)**.
- For Level 2 offenders, the agency (*Thurston County Sheriff*) may also disclose relevant, necessary (*necessary being conviction, risk level, address information*), and accurate information to public and private schools, child day care centers, family day care providers, public libraries, businesses and organizations that serve primarily children, women, or vulnerable adults, and neighbors and community groups near the residence where the offender resides, expects to reside, or is regularly found. **RCW 4.24.550 (3) (b)**
- For Level 3 offenders, the agency may disclose information to the public at large. **RCW 4.24.550 (3) (c)**
- For **ANY OFFENDER**, because more localized notification is not feasible and homeless and transient offenders may present unique risks to the community, the agency may also disclose relevant, necessary, and accurate information to the public at large for offenders registered as homeless or transient. **RCW 4.24.550 (3) (d)**

Please let me know if there are questions or further clarification required. Thank you.

Kind regards,

**Casey Schaufler**  
Associate Planner  
City of Olympia

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Olympia, WA 98502  
(360) 753-8231

*This email is subject to public disclosure.*

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**From:** Amy Buckler  
**Sent:** Monday, November 12, 2018 2:51 PM  
**To:** Casey Schaufler <[cschaufl@ci.olympia.wa.us](mailto:cschaufl@ci.olympia.wa.us)>  
**Cc:** Colin DeForrest <[cdeforre@ci.olympia.wa.us](mailto:cdeforre@ci.olympia.wa.us)>  
**Subject:** State Notice of Offenders procedures

Hi Casey,

Do you think you could do some research for me this week? Something I would need by 11/19 when I meet with the Planning Commission again in regard to the Emergency Housing Ordinance. I've already answered the legal questions: essentially, the state preempts City's ability to regulate firearms whatsoever, and only Dept. of Corrections can apply residency restrictions for sex offenders.

What I need help with is understanding the State's basic notice requirements pertaining to sex offender residency. What procedures are in place? Are all Level 1, 2, 3 offenders required to register? Is notice provided to the public in all cases? What other essential protocols? My goal is to understand and be able to communicate what upstream and downstream State procedures are in play when a transient sex offender is located in any of our emergency housing facilities.

Let me know – thanks,

**Amy Buckler**  
Downtown Programs Manager  
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