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Information
Center**

*The keys to
making your
community
safer.*



CALIFORNIA'S Megan's Law



California Department of Justice
July 2000

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SUMMARY

Sex offenders in California have been required to register with their local law enforcement agencies for more than 50 years. However, until 1995, that information was not available to the general public. In 1994, a California law was passed which established a “900” line telephone service within the California Department of Justice to field public inquiries regarding the identity of California’s 47,000 convicted child molesters. The Department also published a subdirectory, available to the public at police and sheriff’s departments, containing names and photos of 892 high-risk child molesters.

The Child Molester Identification Line (CMIL), available to the public, began operation in July of 1995. In December of 1996, under California’s Megan’s Law, the “900” Line was expanded to provide information to the public regarding offenders who have been convicted of specified sex crimes against adults as well as children. From July 3, 1995 through December 31, 1999, the “900” Line, now known as the California Sex Offender Information, fielded a total of 56,855 inquiries. The subject of the inquiry was identified as a sex offender in 1,552 of the cases.

In May 1996, President Clinton signed the federal Megan’s Law, which encouraged states to register sex offenders and disseminate information regarding sex offenders to the public. Later that year, the California Legislature passed California’s Megan’s Law (Assembly Bill 1562), which was signed into law by former Governor Pete Wilson in September 1996.

California’s Megan’s Law allows law enforcement to notify the public of serious and high-risk sex offenders who reside in, are employed in, or visits a community. California’s Megan’s Law requires the California Department of Justice to produce a CD-ROM or other electronic medium containing information on serious and high-risk sex offenders. Access to the CD-ROM is mandated to be available to the public at all sheriff’s departments and police departments in cities with a population of 200,000 or more as well as through the California

Department of Justice. Many police departments with smaller jurisdictions have also voluntarily elected to make the CD-ROM available to the public.

This report covers the calendar years of 1998 and 1999. Information presented in this report was gathered from responses received each year to questionnaires that were sent to law enforcement agencies that had requested the Megan's Law CD-ROM in order to make it available for the public, or to use as an investigative tool. Surveys were sent to 451 agencies regarding their use of the Megan's Law CD-ROM in 1998. Of this total, the Department of Justice received responses from 268 agencies. In 1999, the Department sent the surveys to 473 participating agencies and received responses from 307 agencies.

Agencies responding to these surveys indicated that in 1998, 168 law enforcement agencies made public disclosures to their communities on 1,529 high-risk and serious sex offenders and distributed more than 43,000 fliers profiling those high-risk and serious sex offenders. In 1999, 186 law enforcement agencies provided notifications to their communities on 1,613 high-risk and serious sex offenders and distributed over 74,000 fliers.

Under law enforcement supervision, the Megan's Law CD-ROM was made available for public viewing by 152 law enforcement agencies during 1998 at 230 sites throughout the state. More than 26,000 people searched the CD-ROM for sex offenders by name, county, or zip code. In 1999, 162 agencies made the CD-ROM available for public viewing at 254 locations. Nearly 30,000 people took the opportunity to obtain information on high-risk and serious sex offenders via the CD-ROM during this period.

Based on surveys of people accessing the CD-ROM under the supervision of the Department of Justice at the California State Fair, Los Angeles County Fair, and the annual Governor's Conference for Women, nearly 20 percent of the viewers recognized sex offenders on the CD-ROM as individuals they knew -- friends, neighbors, employees/employers, youth coaches, and relatives. Most of the time, viewers had been unaware that the identified individuals were registered sex offenders. This incident

rate was based on situations where viewers volunteered the fact that they recognized someone while viewing the CD-ROM. Since staff were unable to survey every viewer, it is estimated that this rate is actually much higher.

Many identifications made by people accessing the CD-ROM and “900” Line resulted in actions that may have prevented the victimization of innocent children and adults. In a number of cases, information relayed to law enforcement agencies has resulted in arrests and charges filed against the offender. Other cases have resulted in a sex offender being removed from a situation in which he posed a dangerous risk, such as a child molester who was allowed to baby-sit or otherwise supervise children.

Of course, Megan’s Law can only be successful in jurisdictions where it is made available and used. During the last two years, more than 60 percent of the law enforcement agencies responding to the survey had policies that allowed notifications to the public on high-risk or serious sex offenders under specified conditions. During this same period, more than 50 percent of those law enforcement agencies allowed the public to access the CD-ROM. Though some smaller police departments are located within a short distance of the sheriff’s department where the CD-ROM is available for public viewing, in many cases the public has to travel some distance in order to access the CD-ROM.

Viewership can be expanded by agencies alerting the public to the availability of the CD-ROM at their agency, ensuring that the CD-ROM is available during hours that the public finds convenient (i.e. evening or weekend hours), or making the CD-ROM available at multiple locations throughout a jurisdiction or at public events. Nearly 20 percent of the agencies make the CD-ROM available at multiple locations. In 1998, 34 agencies made the CD-ROM available at community events such as county fairs, Parent Teacher Association meetings, neighborhood watch meetings and family safety fairs. During 1999, the number of agencies conducting this type of community outreach rose to 45. This has been a highly effective way of reaching the public. A Fresno Bee editorial (November 27, 1999) pointed out “Though police sometimes distribute fliers informing neighborhoods about convicted sex offenders living nearby, viewing

the Megan's Law file (CD-ROM) is the best way for citizens to protect themselves." Opponents of California's Megan's Law feared that dissemination of this information would result in widespread "vigilante" actions aimed at sex offenders. However, since the implementation of California's Megan's Law, there have only been two minor "vigilante" acts against sex offenders resulting from Megan's Law disclosures reported to the Department of Justice by law enforcement.

After more than three years, the purpose of California's Megan's Law remains the same -- to provide the public with information that will allow them to protect themselves and their families from convicted sex offenders.

HALF A CENTURY OF SEX OFFENDER REGISTRATION

California's sex offender registration program was enacted in 1947. This law was the first in the nation to require convicted sex offenders to notify local law enforcement agencies of their whereabouts. As of December 1999, there are more than 86,000 sex offenders who are required to register in California.

Sex offenders are required to register within five working days after release from a local jail or state prison, completion of any alternative sentence, and re-register when they change their name or address. In addition, each sex offender is required to re-register annually within five working days of their birthday. Sex offenders convicted in federal or military courts or in other states for certain sex offenses are also required to register within five days of entering California. Since 1995, sex offenders convicted of felonies who fail to register can be charged with a felony.

With the implementation of Megan's Law in 1996, a convicted, registered sex offender is classified as a "high-risk" sex offender, as defined by Penal Code Section 290(n); or as a "serious" sex offender, as defined by Penal Code Section 290.4(a)(1); or as an "other" sex offender. As of December 1999, nearly 73,000 sex offenders were classified as high-risk or serious, allowing for public disclosure of specific information by law enforcement officers, or through the Megan's Law CD-ROM or the "900" telephone line service. The remaining 13,000 registered sex offenders are classified as "other" and not subject to public disclosure since their offenses do not meet the criteria set forth in California's Megan's Law.

ONLY A CALL AWAY

On July 3, 1995, California started the Child Molester Identification Line, the first program of its kind in the nation. This telephone service, using a fee-based “900” line, provided information to adults regarding convicted child molesters. In December 1996, due to the passage of Megan’s Law, the information available through the “900” Line was expanded to include most sex offenders that committed crimes against adult victims. The name was changed to the Sex Offender Identification Line to reflect the availability of the expanded information. Effective July 2000, the Department adapted the name California Sex Offender Information.

Adults wishing to inquire about an individual are able to call the “900” Line service at a cost of \$10 per call for inquiries on up to two individuals. Callers to the line must be 18 years of age or older. To complete a search, the caller must provide the individual’s name, and at least one of the following: exact date of birth, exact street address, social security number, California driver’s license or California identification number. If that information is not available, the caller must provide the individual’s name and be able to describe five of the following characteristics: eye color, hair color, height, weight, race/ethnicity, or scars, marks or tattoos.

The information provided is used by Department of Justice employees to search the “900” Line database. A “hit” occurs when information provided by the caller matches information about an individual listed in the database. The caller is then informed that the person upon whom they inquired is either a high-risk or serious sex offender. The caller is also informed of the sex offender’s registered crimes.

Mail-in request forms are provided to organizations, businesses and individuals that wish to use the service to check on multiple individuals such as volunteers or employees. Organizations that use the mail-in request form must check on a minimum of six individuals. The processing fee is \$4 per listed individual. The form must include the name of the organization or individual, telephone number, a contact person, number of people at risk and information regarding each individual to be checked. The

results of these searches are provided to the contact person by telephone within a week of receipt of the request.

A NEW ERA OF ACCESS

The federal Megan's Law was signed into law on May 8, 1996. This act encourages states to implement programs that release information to the public regarding specified sex offenders. This law was passed in response to the 1994 rape and murder of Megan Kanka by a convicted child molester living in her New Jersey neighborhood.

Following the passage of the federal Megan's Law, California lawmakers immediately began drafting legislation to implement Megan's Law in California. California sex offender registration laws have been in effect since 1947, and as of December 1999 there were more than 86,000 convicted sex offenders required to register in the State. The legislation had to take into account the large number of registrants living in the State, the needs of local law enforcement agencies, and how to best provide citizens with the information that would allow them to protect themselves and their families from sexual predators.

California lawmakers also worked with representatives from law enforcement associations. The result was legislation that not only met the federal mandates, but also the needs of California's citizens and law enforcement agencies.

California's Megan's Law, Chapter 908, Statutes of 1996, was signed into law on September 25, 1996 and took effect immediately. For the first time, law enforcement officers in California were authorized to release information to the public regarding high-risk and serious sex offenders. With certain restrictions, law enforcement agencies may notify residents of a community where a serious or high-risk sex offender resides, is employed, or frequents. In addition, the law required the Department of Justice to develop and distribute to law enforcement agencies a CD-ROM or other electronic medium containing specific information about individual sex offenders. The public may view this information at all sheriff's departments and many police departments and other law enforcement agencies throughout the State.

Law enforcement associations, working with the California Department of Justice, also developed and distributed guidelines to help police and sheriff's departments implement Megan's Law locally. In addition, the California Commission on Peace Officers Standards and Training produced a training video that was distributed to law enforcement agencies statewide.

Under California's Megan's Law, serious sex offenders are defined as individuals convicted of at least one of the following charges:

- Assault with intent to commit rape, oral copulation, or sodomy
- Rape
- Sodomy with a minor or by force
- Lewd or lascivious conduct with a child or a dependent adult
- Oral copulation with a minor or by force
- Continuous sexual abuse of a child
- Child molestation
- Penetration with a foreign object by force
- Kidnapping with intent to commit specified sex offenses
- Felony sexual battery
- Felony enticement of a child for purposes of prostitution

As of December 31, 1999, a total of 72,984 convicted sex offenders were considered "serious" as defined by California's Megan's Law.

High-risk sex offenders are serious sex offenders who have been convicted of multiple violent crimes, at least one of which was a violent sex crime. In addition, at the time of the high-risk assessment, there must have been specified criminal activity within the last five years, not including time in custody. As of December 31, 1999, a total of 1,558 registered convicted sex offenders were considered "high-risk" as defined by California's Megan's Law.

Other sex offenders are individuals convicted of pornography, exhibitionism, misdemeanor sexual battery, incest, or spousal rape. Sex offenders adjudicated in a juvenile court are not subject to public disclosure. As of December 31, 1999, a total of 13,131 registered

convicted sex offenders were considered “other” under California’s Megan’s Law. Information on these sex offenders cannot be disseminated by local law enforcement, nor is it available through the “900” Line or the Megan’s Law CD-ROM.

Megan’s Law allows local law enforcement agencies to provide information regarding sex offenders to the public in several ways. As a result, the policies developed by local agencies reflect the diversity of each community, and vary from jurisdiction to jurisdiction. Examples of situations where local law enforcement agencies notify the public might include cases such as:

- An officer, during the course of his or her routine patrol, may notify individuals deemed at risk if they are in close proximity to a serious sex offender. For example, if an individual near a playground is determined to be a serious sex offender convicted of child molestation offenses, the officer may notify parents in the area. Another example could be a situation when during the course of a routine traffic stop, an officer determines that the driver is a serious sex offender convicted of the rape of an adult. The officer may inform the passenger of this information if the officer reasonably suspects that the passenger is at risk.
- Local law enforcement agencies may notify residents, schools, churches, or other community members at risk that a serious sex offender resides in, is employed in, or frequents the area. Police may distribute fliers to neighbors at risk and schools located near a serious sex offender.
- A broader scale notification is allowed when a sex offender is classified as a high-risk sex offender. A law enforcement agency may request the assistance of the local news media to notify a community of the presence of a high-risk sex offender. This type of notification may occur when a high-risk sex offender is being paroled to or moves to a community.

In 1998, participating agencies made public disclosures to their communities on 1,529 high-risk and serious sex offenders and distributed 43,262 fliers profiling those high-risk and serious sex offenders. In 1999, agencies provided notifications to their communities on 1,613 high-risk and serious sex offenders and distributed 74,289

fliers. If a high-risk or serious sex offender is on parole or probation, an agency may release to the public any relevant conditions of parole or probation, such as no contact with minor children. Citizens will report any contact or information regarding a registrant's change of address to authorities. This information has led to many registrants being returned to state prison for violation of parole conditions.

California's Megan's Law requires the Department of Justice to distribute a CD-ROM or other electronic medium containing specific information on all high-risk and serious sex offenders and update it on a monthly basis. All 58 county sheriff's departments and all police departments serving populations of 200,000 or more are required to make the CD-ROM available to the public. Other law enforcement agencies may choose whether or not to make the CD-ROM available. Currently, the CD-ROM is distributed to more than 470 law enforcement agencies. More than 160 law enforcement agencies make the CD-ROM available for public viewing, including every sheriff's department, nearly 100 police departments, the California Department of Justice, several county district attorneys' offices, county probation departments, and college campus police departments. The remaining agencies use the CD-ROM as an investigative tool.

Californians who wish to obtain information from the Megan's Law CD-ROM must be at least 18-years of age. They must also complete a form stating that they are not a registered sex offender and that they understand that the purpose of the information is to allow members of the public to protect themselves and their children from sex offenders, and that it is unlawful to use information obtained from the CD-ROM to commit a crime against any sex offender or to engage in illegal discrimination or harassment of any registrant.

Applicants must provide identification in the form of a California driver's license or California identification card, and they may be required to explain why they want the information. Currently, minors are prohibited from viewing the information contained on the Megan's Law CD-ROM. More than 25 percent of the California law enforcement agencies have received requests that children be allowed to access this information. Legislation is currently pending that would allow minors accompanied by a parent or legal guardian to view the CD-ROM.

The CD-ROM can be searched by an individual's name, county, or zip code. In addition, users may enter physical description information or date of birth to narrow a search.

Information included on the CD-ROM contains the high-risk or serious sex offender's name; aliases; photograph (available on more than 65 percent of the individuals) physical description; ethnicity; date of birth; scars, marks, and tattoos; registered sex offenses; and county and zip code based on last registered address.

Law enforcement agencies are finding innovative ways to make sex offender information available to the public. The Fremont Police Department was the first agency to distribute "pin-dot" maps identifying the approximate location of high-risk and serious sex offenders. The maps identify registrants within a one-mile radius of elementary schools, a one-and-a-half-mile radius of middle/junior high schools, and a two-mile radius of high schools. The maps cover both public and private schools.

The Fremont Police Department has made the maps available for viewing via the agency's web-site. The success experienced by this agency has led many other police departments such as Palo Alto and Redding to also make "pin-dot" maps available to the public either at their public counter or on the agency's web-site.

THE PUBLIC USES MEGAN'S LAW

Prior to the implementation of Megan's Law, law enforcement could not release information to the public regarding an individual's convictions for sex offenses or requirement to register as a sex offender. Even if children were in close contact with a child molester, such as a Little League umpire or coach, officers were not allowed to provide parents with this information.

The reaction to the availability of information about sex offenders as a result of California's Megan's Law has been positive. In September of 1999, Palo Alto Chief of Police Patrick Dwyer stated "There are sex offenders living in every corner of every state. It wouldn't matter where (residents) lived, there'd be a (sex offender) living near them." This statement highlights the importance of taking the time to view the sex offender information. The following are some examples of identifications made through the Megan's Law CD-ROM or law enforcement disseminations made during 1998 and 1999.

- After the sexual assault of a woman in their community, detectives from a police department using information obtained from the victim were able to develop a line-up using the Megan's Law CD-ROM. The victim was able to identify the suspect and the suspect was subsequently arrested and charged with the crime. The suspect's arrest led to the identification and arrest of a second suspect.
- While viewing the CD-ROM, a mother identified her boyfriend as a registered child molester. To protect her children, she removed the boyfriend from her home.
- Prior to employment, a company that hires people to play Santa Claus at a local mall viewed the CD-ROM. They discovered that one of their applicants was a child molester. Since the employee could have posed a risk to children the company did not hire the man.

- A mother viewing the CD-ROM, discovered that a man who had befriended her son was a serious sex offender with convictions for child molest. She terminated the relationship between her son and the sex offender. She also warned other parents about the man's status as a serious sex offender.
- A man teaching children's classes at a church and school had his duties modified as a result of being identified as a serious sex offender. His activities are now more tightly monitored.
- While viewing the CD-ROM at a county fair, several local residents identified a soccer coach as being a serious sex offender convicted of child molest. After an investigation by sheriff's deputies, it was determined that no children on the soccer team had been victimized. At the request of the soccer league officials, the convicted sex offender resigned as coach.
- Law enforcement officials notified counselors at a youth summer beach activity that an employee at a nearby business was a serious sex offender. The counselors were able to increase supervision of the children and be especially alert for the presence of the serious sex offender.
- A woman viewing the CD-ROM identified her baby-sitter's husband as being a child molester. The woman removed her children from the home.
- A sheriff's department distributed fliers disseminating information regarding a serious sex offender to school bus drivers. A bus driver reported to deputies that the sex offender, a child molester, was loitering near school bus stops. This information led to the arrest of the registrant.
- Sheriff's deputies arrested a serious sex offender for molesting two children. Deputies then distributed fliers informing the residents of a trailer park about the child molester. The fliers led neighbors to report information to sheriff's deputies that identified two additional victims.

- A serious sex offender was camped in a National Forest and was observed giving rides to children on his horses. The local sheriff's department then posted fliers alerting campers of the presence of the sex offender. The registrant subsequently left the area.
- A mother came in to view the CD-ROM. The first person she saw on the CD-ROM was a person who had baby-sat her daughter the previous week.
- Staff from a private school discovered that a volunteer was a serious sex offender. They were able to determine that he was convicted of sexual assaults against teenage girls, the same age group he was working with at the school. He was subsequently asked to leave his volunteer position.
- A woman discovered that her boyfriend was a convicted child molester. She reported information to the local police department that led to his arrest for violation of registration laws since he had lived in the area for several months without notifying authorities of his new address.
- A sex offender with a history of molesting young girls in a dance troop was found to be dancing with young girls in a community dance production. Detectives from the police department notified parents and the dance production company of the dancer's status as a serious sex offender. The registrant quit the production.
- A sheriff's department hosted a booth with the Megan's Law CD-ROM at the county fair. Several viewers identified a volunteer at the local elementary school as a child molester. As a result of this identification, the registrant was no longer allowed to volunteer at the school.
- A woman searching the CD-ROM at a local fair discovered that her husband was a registered sex offender. When she asked him why he never told her this, he replied "You never asked."

These are just a few examples in which sex offenders were identified. These identifications may have helped prevent future offenses as they either removed the known offender from a

situation where others were vulnerable, or provided potential victims with information they could use to protect themselves and others.

Law enforcement agencies must work with their communities to educate the public about the availability of registered sex offender information. The public must also take a proactive role in protecting their families and themselves from becoming the victim of a registered sex offender.

LOOKING AHEAD

While California's Megan's Law has been very successful during the first two-and-a-half years it has been in effect, the Department of Justice is working to make changes in existing law to better protect the public.

Currently, only about half of the law enforcement agencies in the state make notifications or allow the public to access the CD-ROM and only residents in those communities are able to fully realize the benefits of the law. All law enforcement agencies are urged to implement California's Megan's Law and allow the public access to information that can be used to protect potential victims.

Due to a sunset clause included in Penal Code Section 290.4, public access to sex offender information via the "900" Line and the Megan's Law CD-ROM is set to terminate on January 1, 2001. Currently, there are several bills in the Legislature that would remove the sunset clause. Attorney General Lockyer fully supports the extension of California's Megan's Law Program.

In addition, legislation is currently pending that would allow minors accompanied by a parent or legal guardian to view the CD-ROM.

FACT SHEET

As of December 31, 1999, there were 72,984 serious sex offenders as defined by California's Megan's Law. Of these, 1,558 were designated high-risk. Law enforcement is allowed to disseminate specified information regarding these individuals to the public, and that information is listed on the CD-ROM distributed to law enforcement by the California Department of Justice.

During 1999:

- There were 246 Megan's Law CD-ROM public viewing sites under the supervision of 162 law enforcement agencies.
- Nearly 30,000 people viewed Megan's Law CD-ROM
- Notifications on 1,613 high-risk and serious sex offenders were made to the public by law enforcement agencies. More than 74,000 fliers were distributed to the public regarding these sex offenders.

During 1998:

- There were 230 Megan's Law CD-ROM public viewing sites under the supervision of 152 law enforcement agencies.
- 26,165 people viewed Megan's Law CD-ROM
- Notifications on 1,529 high-risk and serious sex offenders were made to the public by law enforcement agencies. More than 43,000 fliers were distributed to the public regarding these sex offenders.

APPENDIX

- **Agencies responding to the 1999
Megan's Law Questionnaire**
- **California Penal Code Section 290**
- **California Penal Code Section 290.4**

Attorney General Bill Lockyer wishes to thank the following agencies for responding to the 1999 Megan's Law Questionnaire.

SHERIFF'S DEPARTMENTS

Alameda County Sheriff's Department*	Orange County Sheriff's Department*
Alpine County Sheriff's Department*	Placer County Sheriff's Department*
Amador County Sheriff's Department*	Plumas County Sheriff's Department*
Butte County Sheriff's Department*	Riverside County Sheriff's Department*
Calaveras County Sheriff's Department*	Sacramento County Sheriff's Department*
Colusa County Sheriff's Department*	San Benito County Sheriff's Department*
Contra Costa County Sheriff's Department*	San Bernardino County Sheriff's Department*
Del Norte County Sheriff's Department*	San Diego County Sheriff's Department*
El Dorado County Sheriff's Department*	San Luis Obispo County Sheriff's Department*
Fresno County Sheriff's Department*	San Mateo County Sheriff's Department*
Glenn County Sheriff's Department*	Santa Barbara County Sheriff's Department*
Humboldt County Sheriff's Department*	Santa Clara County Sheriff's Department*
Imperial County Sheriff's Department*	Santa Cruz County Sheriff's Department*
Inyo County Sheriff's Department*	Shasta County Sheriff's Department*
Kern County Sheriff's Department*	Sierra County Sheriff's Department*
Kings County Sheriff's Department*	Siskiyou County Sheriff's Department*
Lake County Sheriff's Department*	Solano County Sheriff's Department*
Lassen County Sheriff's Department*	Sonoma County Sheriff's Department*
Madera County Sheriff's Department*	Stanislaus County Sheriff's Department*
Marin County Sheriff's Department*	Sutter County Sheriff's Department*
Mariposa County Sheriff's Department*	Tehama County Sheriff's Department*
Mendocino County Sheriff's Department*	Trinity County Sheriff's Department*
Merced County Sheriff's Department*	Tulare County Sheriff's Department*
Mono County Sheriff's Department*	Tuolumne County Sheriff's Department*
Monterey County Sheriff's Department*	Ventura County Sheriff's Department*
Napa County Sheriff's Department*	Yolo County Sheriff's Department*
Nevada County Sheriff's Department*	Yuba County Sheriff's Department*

*- Indicates agencies that make the Megan's Law CD-ROM available for public viewing. Please contact the agency for the location and hours for public viewing.

POLICE DEPARTMENTS

Alameda Police Department*
Albany Police Department
Anaheim Police Department*
Angels Camp Police Department
Antioch Police Department
Arcata Police Department
Arroyo Grande Police Department
Atascadero Police Department
Atherton Police Department
Atwater Police Department*
Auburn Police Department*
Bakersfield Police Department*
Banning Police Department
Bell Gardens Police Department
Bell Police Department*
Belmont Police Department
Berkeley Police Department*
Beverly Hills Police Department
Blue Lake Police Department*
Brentwood Police Department*
Broadmoor Police Department
Burlingame Police Department
Calexico Police Department
California City Police Department*
Campbell Police Department*
Carlsbad Police Department
Ceres Police Department
Chula Vista Police Department
Citrus Heights Police Department*
Claremont Police Department*
Clearlake Police Department*
Cloverdale Police Department
Clovis Police Department*
Coalinga Police Department*
Concord Police Department*
Corcoran Police Department*
Corona Police Department
Coronado Police Department
Costa Mesa Police Department*
Cotati Police Department
Covina Police Department*
Cypress Police Department*
Daly City Police Department
Danville Police Department
Davis Police Department
Dixon Police Department
Dos Palos Police Department*
El Centro Police Department
El Cerrito Police Department
El Monte Police Department
El Segundo Police Department
Emeryville Police Department*
Eureka Police Department
Escondido Police Department
Exeter Police Department*
Fairfield Police Department
Farmersville Police Department
Firebaugh Police Department
Folsom Police Department*
Fontana Police Department
Fortuna Police Department*
Foster City Police Department*
Fremont Police Department*
Fresno Police Department*
Galt Police Department*
Garden Grove Police Department
Gardena Police Department
Glendale Police Department*
Glendora Police Department*
Grover Beach Police Department
Healdsburg Police Department
Hermosa Beach Police Department
Hillsborough Police Department
Holtville Police Department
Huntington Beach Police Department
Huntington Park Police Department*
Imperial Police Department
Indio Police Department
Inglewood Police Department
Irvine Police Department
Irwindale Police Department
Kensington Police Department
Kerman Police Department
King City Police Department
Kingsburg Police Department*
La Habra Police Department*
La Mesa Police Department*
La Palma Police Department*
La Verne Police Department*
Laguna Beach Police Department
Lemoore Police Department
Lincoln Police Department
Livingston Police Department*
Lodi Police Department*
Lompoc Police Department
Long Beach Police Department*
Los Angeles Police Department*
Los Banos Police Department
Madera Police Department*
Mammoth Lakes Police Department*
Manhattan Beach Police Department
Manteca Police Department*
Martinez Police Department*
Marysville Police Department

*- Indicates agencies that make the Megan's Law CD-ROM available for public viewing. Please contact the agency for the location and hours for public viewing.

POLICE DEPARTMENTS (continued)

Menlo Park Police Department	San Jose Police Department*
Merced Police Department	San Leandro Police Department*
Milpitas Police Department*	San Luis Obispo Police Department
Modesto Police Department*	San Marino Police Department
Monrovia Police Department*	San Mateo Police Department*
Montclair Police Department	San Pablo Police Department
Monterey Park Police Department	San Ramon Police Department*
Monterey Police Department	Sand City Police Department
Moraga Police Department	Santa Ana Police Department*
Morgan Hill Police Department*	Santa Barbara Police Department
Mount Shasta Police Department*	Santa Clara Police Department*
Mountain View Police Department*	Santa Cruz Police Department
Newman Police Department*	Santa Monica Police Department
Oakland Police Department*	Santa Paula Police Department
Ontario Police Department	Scotts Valley Police Department
Orland Police Department	Sebastopol Police Department
Oxnard Police Department	Selma Police Department*
Pacifica Police Department	Signal Hill Police Department*
Palo Alto Police Department*	Simi Valley Police Department*
Paradise Police Department*	Sonoma Police Department
Pasadena Police Department*	Sonora Police Department*
Patterson Police Department*	St. Helena Police Department*
Piedmont Police Department*	Stockton Police Department*
Pismo Beach Police Department	Sunnyvale Public Safety Department*
Pittsburg Police Department	Sutter Creek Police Department
Placerville Police Department*	Taft Police Department
PleasantHill Police Department	Tracy Police Department*
Pleasanton Police Department*	Trinidad Police Department*
Pomona Police Department	Tulare Police Department
Porterville Police Department	Tustin Police Department
Red Bluff Police Department	Ukiah Police Department
Redding Police Department*	Upland Police Department
Redondo Beach Police Department*	Union City Police Department*
Reedley Police Department*	Vacaville Police Department
Ridgecrest Police Department	Ventura Police Department*
Rio Dell Police Department	Vernon Police Department*
Rio Vista Police Department	West Sacramento Police Department*
Rohnert Park Police Department	Wheatland Police Department*
Roseville Police Department*	Whittier Police Department*
Sacramento Police Department*	Walnut Creek Police Department
Salinas Police Department	West Covina Police Department
San Bernardino Police Department	Willows Police Department
San Bruno Police Department	Winters Police Department
San Diego Police Department*	Woodland Police Department
San Francisco Police Department*	Yreka Police Department
San Jacinto Police Department	Yuba City Police Department*

*- Indicates agencies that make the Megan's Law CD-ROM available for public viewing. Please contact the agency for the location and hours for public viewing.

DISTRICT ATTORNEY'S OFFICES

El Dorado County District Attorney's Office *	Orange County District Attorney's Office
Humboldt County District Attorney's Office	Riverside County District Attorney's Office
Lassen County District Attorney's Office*	San Diego County District Attorney's Office
Los Angeles County District Attorney's Office	San Francisco County District Attorney's Office
Marin County District Attorney's Office	San Joaquin County District Attorney's Office
Mariposa County District Attorney's Office	Shasta County District Attorney's Office
Merced County District Attorney's Office*	Ventura County District Attorney's Office*
Monterey County District Attorney's Office	Yolo County District Attorney's Office

PROBATION DEPARTMENTS

Del Norte County Probation Department*	Orange County Probation Department
Imperial County Probation Department	Plumas County Probation Department
Madera County Probation Department	San Bernardino County Probation Department
Merced County Probation Department	Santa Cruz County Probation Department
Monterey County Probation Department	Siskiyou County Probation Department
Nevada County Probation Department	Tulare County Probation Department

COLLEGE CAMPUS POLICE DEPARTMENTS

California State University, Hayward*	Humboldt State University*
California State University, Chico	San Joaquin Delta Comm. College
California State University, Fullerton	Solano College District Police Dept.
California State University, Monterey Bay	Sonoma State University Police
California State University, Sacramento	State Center Community College
California State University, San Jose	University of California, Riverside
Cerritos College Police Department	University of California, Santa Barbara
El Camino Community College District	

*- Indicates agencies that make the Megan's Law CD-ROM available for public viewing. Please contact the agency for the location and hours for public viewing.

California Penal Code

Section 290

290. (a) (1) (A) Every person described in paragraph (2), for the rest of his or her life while residing in, or, if he or she has no residence, while located within California, or while attending school or working in California, as described in subparagraph (G), shall be required to register with the chief of police of the city in which he or she is residing, or if he or she has no residence, is located, or the sheriff of the county if he or she is residing, or if he or she has no residence, is located, in an unincorporated area or city that has no police department, and, additionally, with the chief of police of a campus of the University of California, the California State University, or community college if he or she is residing, or if he or she has no residence, is located upon the campus or in any of its facilities, within five working days of coming into, or changing his or her residence or location within, any city, county, or city and county, or campus in which he or she temporarily resides, or, if he or she has no residence, is located.

(B) If the person who is registering has more than one residence address or location at which he or she regularly resides or is located, he or she shall register in accordance with subparagraph (A) in each of the jurisdictions in which he or she regularly resides or is located. If all of the addresses or locations are within the same jurisdiction, the person shall provide the registering authority with all of the addresses or locations where he or she regularly resides or is located.

(C) If the person who is registering has no residence address, he or she shall update his or her registration no less than once every 90 days in addition to the requirement in subparagraph (A), on a form as may be required by the Department of Justice, with the entity or entities described in subparagraph (A) in whose jurisdiction he or she is located at the time he or she is updating the registration.

(D) Beginning on his or her first birthday following registration or change of address, the person shall be required to register annually, within five working days of his or her birthday, to update his or her registration with the entities described in subparagraph (A), including, verifying his or her name and address, or temporary location, and place of employment including the name and address of the employer, on a form as may be required by the Department of Justice.

(E) In addition, every person who has ever been adjudicated a sexually violent predator, as defined in Section 6600 of the Welfare and Institutions Code, shall, after his or her release from custody, verify his or her address no less than once every 90 days and place of employment, including the name and address of the employer, in a manner established by the Department of Justice.

(F) No entity shall require a person to pay a fee to register or update his or her registration pursuant to this section. The registering agency shall submit registrations, including annual updates or changes of address, directly into the Department of Justice Violent Crime Information Network (VCIN).

(G) Persons required to register in their state of residence who are out-of-state residents employed in California on a full-time or part-time basis, with or without compensation, for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year, shall register in accordance with subparagraph (A). Persons described in paragraph (2) who are out-of-state residents enrolled in any educational institution in California, as defined in Section 22129 of the Education Code, on a full-time or part-time basis, shall register in accordance with subparagraph (A). The place where the out-of-state resident is located, for purposes of registration, shall be the place where the person is employed or attending school. The out-of-state resident subject to this subparagraph shall, in addition to the information required pursuant to subdivision (e), provide the registering authority with the name of his or her place of employment or the name of the school attended in California, and his or her address or location in his or her state of residence. The registration requirement for persons subject to this subparagraph shall become operative on November 25, 2000.

(2) The following persons shall be required to register pursuant to paragraph (1):

(A) Any person who, since July 1, 1944, has been or is hereafter convicted in any court in this state or in any federal or military court of a violation of Section 207 or 209 committed with intent to violate Section 261, 286, 288, 288a, or 289, Section 220, except assault to commit mayhem, Section 243.4, paragraph (1), (2), (3), (4), or (6) of subdivision (a) of Section 261, or paragraph (1) of subdivision (a) of Section 262 involving the use of force or violence for which the person is sentenced to the state prison, Section 264.1, 266, 266c, subdivision (b) of Section 266h, subdivision (b) of Section 266i, 266j, 267, 269, 285, 286, 288, 288a, 288.5, or 289, subdivision (b), (c), or (d) of Section 311.2, Section 311.3, 311.4, 311.10, 311.11, or 647.6, former Section 647a, subdivision (c) of Section 653f, subdivision 1 or 2 of Section 314, any offense involving lewd or lascivious conduct under Section 272, or any felony violation of Section 288.2; or any person who since that date has been or is hereafter convicted of the attempt to commit any of the above-mentioned offenses.

(B) Any person who, since July 1, 1944, has been or hereafter is released, discharged, or paroled from a penal institution where he or she was confined because of the commission or attempted commission of one of the offenses described in subparagraph (A).

(C) Any person who, since July 1, 1944, has been or hereafter is determined to be a mentally disordered sex offender under Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code or any person who has been found guilty in the guilt phase of a trial for an offense for which registration is required by this section but

who has been found not guilty by reason of insanity in the sanity phase of the trial.

(D) Any person who, since July 1, 1944, has been, or is hereafter convicted in any other court, including any state, federal, or military court, of any offense which, if committed or attempted in this state, would have been punishable as one or more of the offenses described in subparagraph (A) or any person ordered by any other court, including any state, federal, or military court, to register as a sex offender for any offense, if the court found at the time of conviction or sentencing that the person committed the offense as a result of sexual compulsion or for purposes of sexual gratification.

(E) Any person ordered by any court to register pursuant to this section for any offense not included specifically in this section if the court finds at the time of conviction or sentencing that the person committed the offense as a result of sexual compulsion or for purposes of sexual gratification. The court shall state on the record the reasons for its findings and the reasons for requiring registration.

(F) (i) Notwithstanding any other subdivision, a person who was convicted before January 1, 1976, under subdivision (a) of Section 286, or Section 288a, shall not be required to register pursuant to this section for that conviction if the conviction was for conduct between consenting adults that was decriminalized by Chapter 71 of the Statutes of 1975 or Chapter 1139 of the Statutes of 1976. The Department of Justice shall remove that person from the Sex Offender Registry, and the person is discharged from his or her duty to register pursuant to the following procedure:

(I) The person submits to the Department of Justice official documentary evidence, including court records or police reports, which demonstrate that the person's conviction pursuant to either of those sections was for conduct between consenting adults that was decriminalized; or

(II) The person submits to the department a declaration stating that the person's conviction pursuant to either of those sections was for consensual conduct between adults that has been decriminalized. The declaration shall be confidential and not a public record, and shall include the person's name, address, telephone number, date of birth, and a summary of the circumstances leading to the conviction, including the date of the conviction and county of the occurrence.

(III) The department shall determine whether the person's conviction was for conduct between consensual adults that has been decriminalized. If the conviction was for consensual conduct between adults that has been decriminalized, and the person has no other offenses for which he or she is required to register pursuant to this section, the department shall, within 60 days of receipt of those documents, notify the person that he or she is relieved of the duty to register, and shall notify the local law enforcement agency with which the person is registered that he or she has been relieved of the duty to register. The local law enforcement agency shall remove the person's registration from its files within 30 days of receipt of notification. If the documentary or other evidence submitted is insufficient to establish the

person's claim, the department shall, within 60 days of receipt of those documents, notify the person that his or her claim cannot be established, and that the person shall continue to register pursuant to this section. The department shall provide, upon the person's request, any information relied upon by the department in making its determination that the person shall continue to register pursuant to this section. Any person whose claim has been denied by the department pursuant to this clause may petition the court to appeal the department's denial of the person's claim.

(ii) On or before July 1, 1998, the department shall make a report to the Legislature concerning the status of persons who may come under the provisions of this subparagraph, including the number of persons who were convicted before January 1, 1976, under subdivision (a) of Section 286 or Section 288a and are required to register under this section, the average age of these persons, the number of these persons who have any subsequent convictions for a registerable sex offense, and the number of these persons who have sought successfully or unsuccessfully to be relieved of their duty to register under this section.

(b) (1) Any person who is released, discharged, or paroled from a jail, state or federal prison, school, road camp, or other institution where he or she was confined because of the commission or attempted commission of one of the offenses specified in subdivision (a) or is released from a state hospital to which he or she was committed as a mentally disordered sex offender under Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code, shall, prior to discharge, parole, or release, be informed of his or her duty to register under this section by the official in charge of the place of confinement or hospital, and the official shall require the person to read and sign any form that may be required by the Department of Justice, stating that the duty of the person to register under this section has been explained to the person. The official in charge of the place of confinement or hospital shall obtain the address where the person expects to reside upon his or her discharge, parole, or release and shall report the address to the Department of Justice.

(2) The official in charge of the place of confinement or hospital shall give one copy of the form to the person and shall send one copy to the Department of Justice and one copy to the appropriate law enforcement agency or agencies having jurisdiction over the place the person expects to reside upon discharge, parole, or release. If the conviction that makes the person subject to this section is a felony conviction, the official in charge shall, not later than 45 days prior to the scheduled release of the person, send one copy to the appropriate law enforcement agency or agencies having local jurisdiction where the person expects to reside upon discharge, parole, or release; one copy to the prosecuting agency that prosecuted the person; and one copy to the Department of Justice. The official in charge of the place of confinement or hospital shall retain one copy.

(c) Any person who is convicted in this state of the commission or attempted commission of any of the offenses specified in subdivision (a) and who is

released on probation, granted conditional release without supervised probation, or discharged upon payment of a fine shall, prior to release or discharge, be informed of the duty to register under this section by the probation department, and a probation officer shall require the person to read and sign any form that may be required by the Department of Justice, stating that the duty of the person to register under this section has been explained to him or her. The probation officer shall obtain the address where the person expects to reside upon release or discharge and shall report within three days the address to the Department of Justice. The probation officer shall give one copy of the form to the person, send one copy to the Department of Justice, and forward one copy to the appropriate law enforcement agency or agencies having local jurisdiction where the person expects to reside upon his or her discharge, parole, or release.

(d) (1) Any person who, on or after January 1, 1986, is discharged or paroled from the Department of the Youth Authority to the custody of which he or she was committed after having been adjudicated a ward of the juvenile court pursuant to Section 602 of the Welfare and Institutions Code because of the commission or attempted commission of any offense described in paragraph (3) shall be subject to registration under the procedures of this section.

(2) Any person who is discharged or paroled from a facility in another state that is equivalent to the Department of the Youth Authority, to the custody of which he or she was committed because of an offense which, if committed or attempted in this state, would have been punishable as one or more of the offenses described in paragraph (3), shall be subject to registration under the procedures of this section.

(3) Any person described in this subdivision who committed an offense in violation of any of the following provisions shall be required to register pursuant to this section:

(A) Assault with intent to commit rape, sodomy, oral copulation, or any violation of Section 264.1, 288, or 289 under Section 220.

(B) Any offense defined in paragraph (1), (2), (3), (4), or (6) of subdivision (a) of Section 261, Section 264.1, 266c, or 267, paragraph (1) of subdivision (b) of, or subdivision (c) or (d) of, Section 286, Section 288 or 288.5, paragraph (1) of subdivision (b) of, or subdivision (c) or (d) of, Section 288a, subdivision (a) of Section 289, or Section 647.6.

(C) A violation of Section 207 or 209 committed with the intent to violate Section 261, 286, 288, 288a, or 289.

(4) Prior to discharge or parole from the Department of the Youth Authority, any person who is subject to registration under this subdivision shall be informed of the duty to register under the procedures set forth in this section. Department of the Youth Authority officials shall transmit the required forms and information to the Department of Justice.

(5) All records specifically relating to the registration in the custody of the Department of Justice, law enforcement agencies, and other agencies or public officials shall be destroyed when the person who is required to register has his

or her records sealed under the procedures set forth in Section 781 of the Welfare and Institutions Code. This subdivision shall not be construed as requiring the destruction of other criminal offender or juvenile records relating to the case that are maintained by the Department of Justice, law enforcement agencies, the juvenile court, or other agencies and public officials unless ordered by a court under Section 781 of the Welfare and Institutions Code.

(e) (1) On or after January 1, 1998, upon incarceration, placement, or commitment, or prior to release on probation, any person who is required to register under this section shall preregister. The preregistering official shall be the admitting officer at the place of incarceration, placement, or commitment, or the probation officer if the person is to be released on probation. The preregistration shall consist of both of the following:

(A) A preregistration statement in writing, signed by the person, giving information that shall be required by the Department of Justice.

(B) The fingerprints and photograph of the person.

(C) Any person who is preregistered pursuant to this subdivision is required to be preregistered only once.

(2) A person described in paragraph (2) of subdivision (a) shall register, or reregister if the person has previously registered, upon release from incarceration, placement, or commitment, pursuant to paragraph (1) of subdivision (a). The registration shall consist of all of the following:

(A) A statement in writing signed by the person, giving information as shall be required by the Department of Justice and giving the name and address of the person's employer, and the address of the person's place of employment if that is different from the employer's main address.

(B) The fingerprints and photograph of the person.

(C) The license plate number of any vehicle owned by, regularly driven by, or registered in the name of the person.

(D) Notice to the person that, in addition to the requirements of paragraph (4), he or she may have a duty to register in any other state where he or she may relocate.

(E) Copies of adequate proof of residence, which shall be limited to a California driver's license, California identification card, recent rent or utility receipt, printed personalized checks or other recent banking documents showing that person's name and address, or any other information that the registering official believes is reliable. If the person has no residence and no reasonable expectation of obtaining a residence in the foreseeable future, the person shall so advise the registering official and shall sign a statement provided by the registering official stating that fact. Upon presentation of proof of residence to the registering official or a signed statement that the person has no residence, the person shall be allowed to register. If the person claims that he or she has a residence but does not have any proof of residence, he or she shall be allowed to register but shall furnish proof of residence within 30 days of the day he or she is allowed to register.

(3) Within three days thereafter, the preregistering official or the registering law enforcement agency or agencies shall forward the statement, fingerprints,

photograph, and vehicle license plate number, if any, to the Department of Justice.

(f) (1) If any person who is required to register pursuant to this section changes his or her residence address or location, whether within the jurisdiction in which he or she is currently registered or to a new jurisdiction inside or outside the state, the person shall inform, in writing within five working days, the law enforcement agency or agencies with which he or she last registered of the new address or location. The law enforcement agency or agencies shall, within three days after receipt of this information, forward a copy of the change of address or location information to the Department of Justice. The Department of Justice shall forward appropriate registration data to the law enforcement agency or agencies having local jurisdiction of the new place of residence or location.

(2) If the person's new address is in a Department of the Youth Authority facility or a state prison or state mental institution, an official of the place of incarceration, placement, or commitment shall, within 90 days of receipt of the person, forward the registrant's change of address information to the Department of Justice. The agency need not provide a physical address for the registrant but shall indicate that he or she is serving a period of incarceration or commitment in a facility under the agency's jurisdiction. This paragraph shall apply to persons received in a Department of the Youth Authority facility or a state prison or state mental institution on or after January 1, 1999. The Department of Justice shall forward the change of address information to the agency with which the person last registered.

(3) If any person who is required to register pursuant to this section changes his or her name, the person shall inform, in person, the law enforcement agency or agencies with which he or she is currently registered within five working days. The law enforcement agency or agencies shall forward a copy of this information to the Department of Justice within three days of its receipt.

(g) (1) Any person who is required to register under this section based on a misdemeanor conviction or juvenile adjudication who willfully violates any requirement of this section is guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding one year.

(2) Except as provided in paragraphs (5) and (7), any person who is required to register under this section based on a felony conviction or juvenile adjudication who willfully violates any requirement of this section or who has a prior conviction or juvenile adjudication for the offense of failing to register under this section and who subsequently and willfully violates any requirement of this section is guilty of a felony and shall be punished by imprisonment in the state prison for 16 months, or two or three years. If probation is granted or if the imposition or execution of sentence is suspended, it shall be a condition of the probation or suspension that the person serve at least 90 days in a county jail. The penalty described in this paragraph shall apply whether or not the person has been released on parole or has been discharged from parole.

(3) Any person determined to be a mentally disordered sex offender or who has been found guilty in the guilt phase of trial for an offense for which registration is required under this section, but who has been found not guilty by reason of insanity in the sanity phase of the trial, or who has had a petition sustained in a juvenile adjudication for an offense for which registration is required under this section pursuant to subdivision (d), but who has been found not guilty by reason of insanity, who willfully violates any requirement of this section is guilty of a misdemeanor and shall be punished by imprisonment in a county jail not exceeding one year. For any second or subsequent willful violation of any requirement of this section, the person is guilty of a felony and shall be punished by imprisonment in the state prison for 16 months, or two or three years.

(4) If, after discharge from parole, the person is convicted of a felony or suffers a juvenile adjudication as specified in this subdivision, he or she shall be required to complete parole of at least one year, in addition to any other punishment imposed under this subdivision. A person convicted of a felony as specified in this subdivision may be granted probation only in the unusual case where the interests of justice would best be served. When probation is granted under this paragraph, the court shall specify on the record and shall enter into the minutes the circumstances indicating that the interests of justice would best be served by the disposition.

(5) Any person who has ever been adjudicated a sexually violent predator, as defined in Section 6600 of the Welfare and Institutions Code, and who fails to verify his or her registration every 90 days as required pursuant to subparagraph (E) of paragraph (1) of subdivision (a), shall be punished by imprisonment in the state prison, or in a county jail not exceeding one year.

(6) Except as otherwise provided in paragraph (5), and in addition to any other penalty imposed under this subdivision, any person who is required pursuant to subparagraph (C) of paragraph (1) of subdivision (a) to update his or her registration every 90 days and willfully fails to update his or her registration is guilty of a misdemeanor and shall be punished by imprisonment in a county jail not exceeding six months. Any subsequent violation of this requirement that persons described in subparagraph (C) of paragraph (1) of subdivision (a) shall update their registration every 90 days is also a misdemeanor and shall be punished by imprisonment in a county jail not exceeding six months.

(7) Any person who fails to provide proof of residence as required by subparagraph (E) of paragraph (2) of subdivision (e), regardless of the offense upon which the duty to register is based, is guilty of a misdemeanor punishable by imprisonment in a county jail not exceeding six months.

(8) Any person who is required to register under this section who willfully violates any requirement of this section is guilty of a continuing offense.

(h) Whenever any person is released on parole or probation and is required to register under this section but fails to do so within the time prescribed, the parole authority, the Youthful Offender Parole Board, or the court, as the case may be, shall order the parole or probation of the person revoked. For

purposes of this subdivision, "parole authority" has the same meaning as described in Section 3000.

(i) Except as provided in subdivisions (m) and (n) and Section 290.4, the statements, photographs, and fingerprints required by this section shall not be open to inspection by the public or by any person other than a regularly employed peace officer or other law enforcement officer.

(j) In any case in which a person who would be required to register pursuant to this section for a felony conviction is to be temporarily sent outside the institution where he or she is confined on any assignment within a city or county including firefighting, disaster control, or of whatever nature the assignment may be, the local law enforcement agency having jurisdiction over the place or places where the assignment shall occur shall be notified within a reasonable time prior to removal from the institution. This subdivision shall not apply to any person who is temporarily released under guard from the institution where he or she is confined.

(k) As used in this section, "mentally disordered sex offender" includes any person who has been determined to be a sexual psychopath or a mentally disordered sex offender under any provision which, on or before January 1, 1976, was contained in Division 6 (commencing with Section 6000) of the Welfare and Institutions Code.

(l) (1) Every person who, prior to January 1, 1997, is required to register under this section, shall be notified whenever he or she next reregisters of the reduction of the registration period from 14 to five working days. This notice shall be provided in writing by the registering agency or agencies. Failure to receive this notification shall be a defense against the penalties prescribed by subdivision (g) if the person did register within 14 days.

(2) Every person who, as a sexually violent predator, as defined in Section 6600 of the Welfare and Institutions Code, is required to verify his or her registration every 90 days, shall be notified wherever he or she next registers of his or her increased registration obligations. This notice shall be provided in writing by the registering agency or agencies. Failure to receive this notice shall be a defense against the penalties prescribed by paragraph (5) of subdivision (g).

(m) (1) When a peace officer reasonably suspects, based on information that has come to his or her attention through information provided by any peace officer or member of the public, that a child or other person may be at risk from a sex offender convicted of a crime listed in paragraph (1) of subdivision (a) of Section 290.4, a law enforcement agency may, notwithstanding any other provision of law, provide any of the information specified in paragraph (4) of this subdivision about that registered sex offender that the agency deems relevant and necessary to protect the public, to the following persons, agencies, or organizations the offender is likely to encounter, including, but not limited to, the following:

(A) Public and private educational institutions, day care establishments, and establishments and organizations that primarily serve individuals likely to be victimized by the offender.

(B) Other community members at risk.

(2) The law enforcement agency may authorize persons and entities who receive the information pursuant to paragraph (1) to disclose information to additional persons only if the agency does the following:

(A) Determines that all conditions set forth in paragraph (1) have been satisfied regarding disclosure to the additional persons.

(B) Identifies the appropriate scope of further disclosure.

(3) Persons notified pursuant to paragraph (1) may disclose the information provided by the law enforcement agency in the manner and to the extent authorized by the law enforcement agency.

(4) The information that may be disclosed pursuant to this section includes the following:

(A) The offender's full name.

(B) The offender's known aliases.

(C) The offender's gender.

(D) The offender's race.

(E) The offender's physical description.

(F) The offender's photograph.

(G) The offender's date of birth.

(H) Crimes resulting in registration under this section.

(I) The offender's address, which must be verified prior to publication.

(J) Description and license plate number of offender's vehicles or vehicles the offender is known to drive.

(K) Type of victim targeted by the offender.

(L) Relevant parole or probation conditions, such as one prohibiting contact with children.

(M) Dates of crimes resulting in classification under this section.

(N) Date of release from confinement.

However, information disclosed pursuant to this subdivision shall not include information that would identify the victim.

(5) If a law enforcement agency discloses information pursuant to this subdivision, it shall include, with the disclosure, a statement that the purpose of the release of the information is to allow members of the public to protect themselves and their children from sex offenders.

(6) For purposes of this section, "likely to encounter" means both of the following:

(A) That the agencies, organizations, or other community members are in a location or in close proximity to a location where the offender lives or is employed, or that the offender visits or is likely to visit on a regular basis.

(B) The types of interaction that ordinarily occur at that location and other circumstances indicate that contact with the offender is reasonably probable.

(7) For purposes of this section, "reasonably suspects" means that it is objectively reasonable for a peace officer to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his or her training and experience, to suspect that a child or other person is at risk.

(8) For purposes of this section, "at risk" means a person is or may be exposed to a risk of becoming a victim of a sex offense committed by the offender.

(9) A law enforcement agency may continue to disclose information on an offender under this subdivision for as long as the offender is included in Section 290.4.

(n) In addition to the procedures set forth elsewhere in this section, a designated law enforcement entity may advise the public of the presence of high-risk sex offenders in its community pursuant to this subdivision.

(1) For purposes of this subdivision:

(A) A high-risk sex offender is a person who has been convicted of an offense specified in paragraph (1) of subdivision (a) of Section 290.4, and also meets one of the following criteria:

(i) Has been convicted of three or more violent sex offenses, at least two of which were brought and tried separately.

(ii) Has been convicted of two violent sex offenses and one or more violent nonsex offenses, at least two of which were brought and tried separately.

(iii) Has been convicted of one violent sex offense and two or more violent nonsex offenses, at least two of which were brought and tried separately.

(iv) Has been convicted of either two violent sex offenses or one violent sex offense and one violent nonsex offense, at least two of which were brought and tried separately, and has been arrested on separate occasions for three or more violent sex offenses, violent nonsex offenses, or associated offenses.

(v) Has been adjudicated a sexually violent predator pursuant to Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(B) A violent sex offense means any offense defined in Section 220, except attempt to commit mayhem, or Section 261, 264.1, 286, 288, 288a, 288.5, 289, or 647.6, or infliction of great bodily injury during the commission of a sex offense, as provided in Section 12022.8.

(C) A violent nonsex offense means any offense defined in Section 187, subdivision (a) of Section 192, or Section 203, 206, 207, or 236, provided that the offense is a felony, subdivision (a) of Section 273a, Section 273d or 451, or attempted murder, as defined in Sections 187 and 664.

(D) An associated offense means any offense defined in Section 243.4, provided that the offense is a felony, Section 311.1, 311.2, 311.3, 311.4, 311.5, 311.6, 311.7, or 314, Section 459, provided the offense is of the first degree, Section 597 or 646.9, subdivision (d), (h), or (i) of Section 647, Section 653m, or infliction of great bodily injury during the commission of a felony, as defined in Section 12022.7.

(E) For purposes of subparagraphs (B) to (D), inclusive, an arrest or conviction for the statutory predecessor of any of the enumerated offenses, or an arrest or conviction in any other jurisdiction for any offense that, if committed or attempted in this state, would have been punishable as one or more of the offenses described in those subparagraphs, is to be considered in determining whether an offender is a high-risk sex offender.

(F) For purposes of subparagraphs (B) to (D), inclusive, an arrest as a juvenile or an adjudication as a ward of the juvenile court within the meaning of Section 602 of the Welfare and Institutions Code for any of the offenses described in those subparagraphs is to be considered in determining whether an offender is a high-risk sex offender.

(G) Notwithstanding subparagraphs (A) to (D), inclusive, an offender shall not be considered to be a high-risk sex offender if either of the following apply:

(i) The offender's most recent conviction or arrest for an offense described in subparagraphs (B) to (D), inclusive, occurred more than five years prior to the high-risk assessment by the Department of Justice, excluding periods of confinement.

(ii) The offender notifies the Department of Justice, on a form approved by the department and available at any sheriff's office, that he or she has not been convicted in the preceding 15 years, excluding periods of confinement, of an offense for which registration is required under paragraph (2) of subdivision (a), and the department is able, upon exercise of reasonable diligence, to verify the information provided in paragraph (2).

(H) "Confinement" means confinement in a jail, prison, school, road camp, or other penal institution, confinement in a state hospital to which the offender was committed as a mentally disordered sex offender under Article 1 (commencing with Section 6300) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code, or confinement in a facility designated by the Director of Mental Health to which the offender was committed as a sexually violent predator under Article 4 (commencing with Section 6600) of Chapter 2 of Part 2 of Division 6 of the Welfare and Institutions Code.

(I) "Designated law enforcement entity" means any of the following: municipal police department; sheriff's department; district attorney's office; county probation department; Department of Justice; Department of Corrections; Department of the Youth Authority; Department of the California Highway Patrol; or the police department of any campus of the University of California, California State University, or community college.

(2) The Department of Justice shall continually search the records provided to it pursuant to subdivision (b) and identify, on the basis of those records, high-risk sex offenders. Four times each year, the department shall provide to each chief of police and sheriff in the state, and to any other designated law enforcement entity upon request, the following information regarding each identified high-risk sex offender: full name; known aliases; gender; race; physical description; photograph; date of birth; and crimes resulting in classification under this section.

(3) The Department of Justice and any designated law enforcement entity to which notice has been given pursuant to paragraph (2) may cause to be made public, by whatever means the agency deems necessary to ensure the public safety, based upon information available to the agency concerning a specific person, including, but not limited to, the information described in paragraph (2); the offender's address, which shall be verified prior to publication;

description and license plate number of the offender's vehicles or vehicles the offender is known to drive; type of victim targeted by the offender; relevant parole or probation conditions, such as one prohibiting contact with children; dates of crimes resulting in classification under this section; and date of release from confinement; but excluding information that would identify the victim.

(4) Notwithstanding any other provision of law, any person described in paragraph (2) of subdivision (p) who receives information from a designated law enforcement entity pursuant to paragraph (3) of subdivision (n) may disclose that information in the manner and to the extent authorized by the law enforcement entity.

(o) Agencies disseminating information to the public pursuant to Section 290.4 shall maintain records of those persons requesting to view the CD-ROM or other electronic media for a minimum of five years. Agencies disseminating information to the public pursuant to subdivision (n) shall maintain records of the means and dates of dissemination for a minimum of five years.

(p) (1) Any law enforcement agency and employees of any law enforcement agency shall be immune from liability for good faith conduct under this section. For the purposes of this section, "law enforcement agency" means the Attorney General of California, every district attorney, and every state or local agency expressly authorized by statute to investigate or prosecute law violators.

(2) Any public or private educational institution, day care facility, or any child care custodian described in Section 11165.7, or any employee of a public or private educational institution or day care facility which in good faith disseminates information as authorized pursuant to paragraph (3) of subdivision (m) or paragraph (4) of subdivision (n) that is provided by a law enforcement agency or an employee of a law enforcement agency shall be immune from civil liability.

(q) Any person who uses information disclosed pursuant to this section to commit a felony shall be punished, in addition and consecutive to any other punishment, by a five-year term of imprisonment in the state prison. Any person who uses information disclosed pursuant to this section to commit a misdemeanor shall be subject to, in addition to any other penalty or fine imposed, a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000).

(r) The registration and public notification provisions of this section are applicable to every person described in this section, without regard to when his or her crimes were committed or his or her duty to register pursuant to this section arose, and to every offense described in this section, regardless of when it was committed.

California Penal Code

Section 290.4

290.4. (a) (1) The Department of Justice shall continually compile information as described in paragraph (2) regarding any person required to register under Section 290 for a conviction of Section 207 or 209 committed with the intent to violate Section 261, 286, 288, 288a, or 289; Section 220, except assault to commit mayhem; Section 243.4, provided that the offense is a felony; paragraph (1), (2), (3), (4), or (6) of subdivision (a) of Section 261; Section 264.1; Section 266, provided that the offense is a felony; Section 266c, provided that the offense is a felony; Section 266j; Section 267; Section 269; paragraph (1) of subdivision (b) of Section 286, provided that the offense is a felony; paragraph (2) of subdivision (b), subdivision (c), (d), (f), (g), (i), (j), or (k) of Section 286; Section 288; paragraph (1) of subdivision (b) of Section 288a, provided that the offense is a felony; paragraph (2) of subdivision (b), (c), (d), (f), (g), (i), (j), or (k) of Section 288a; Section 288.5; subdivision (a), (b), (d), (e), (f), (g), or (h) of Section 289, provided that the offense is a felony; subdivision (i) or (j) of Section 289; Section 647.6; or the statutory predecessor of any of these offenses or any offense which, if committed or attempted in this state, would have been punishable as one or more of the offenses described in this section. This requirement shall not be applied to a person whose duty to register has been terminated pursuant to paragraph (5) of subdivision (d) of Section 290, or to a person who has been relieved of his or her duty to register under Section 290.5.

(2) The information shall be categorized by community of residence and ZIP Code. The information shall include the names and known aliases of the person, photograph, a physical description, gender, race, date of birth, the criminal history, and the address, including ZIP Code, in which the person resides, and any other information that the Department of Justice deems relevant, not including information that would identify the victim.

(3) The department shall operate a "900" telephone number that members of the public may call and inquire whether a named individual is listed among those described in this subdivision. The caller shall furnish his or her first name, middle initial, and last name. The department shall ascertain whether a named person reasonably appears to be a person so listed and provide the caller with the information described in paragraph (2), except the department shall not disclose the name or address of a listed person's employer, or the street address or criminal history of a person listed, except to disclose the ZIP Code area in which the person resides and to describe the specific crimes for which the registrant was required to register. The department shall decide whether the named person reasonably appears to be a person listed, based upon information from the caller providing information that shall include (A)

an exact street address, including apartment number, social security number, California driver's license or identification number, or birth date along with additional information that may include any of the following: name, hair color, eye color, height, weight, distinctive markings, ethnicity; or (B) any combination of at least six of the above listed characteristics if an exact birth date or address is not available. If three of the characteristics provided include ethnicity, hair color, and eye color, a seventh identifying characteristic shall be provided. Any information identifying the victim by name, birth date, address, or relation to the registrant shall be excluded by the department.

(4) (A) On or before July 1, 1997, the department shall provide a CD-ROM or other electronic medium containing the information described in paragraph (2), except the name or address of a listed person's employer, or the listed person's street address and criminal history other than the specific crimes for which the person was required to register, for all persons described in paragraph (1) of subdivision (a), and shall update and distribute the CD-ROM or other electronic medium on a monthly basis to the sheriff's department in each county, municipal police departments of cities with a population of more than 200,000, and each law enforcement agency listed in subparagraph (I) of paragraph (1) of subdivision (n) of Section 290. These law enforcement agencies may obtain additional copies by purchasing a yearly subscription to the CD-ROM or other electronic medium from the Department of Justice for a yearly subscription fee. The Department of Justice, the sheriff's departments, and the municipal police departments of cities with a population of more than 200,000 shall make, and the other law enforcement agencies may make, the CD-ROM or other electronic medium available for viewing by the public in accordance with the following: The agency may require that a person applying to view the CD-ROM or other electronic medium express an articulable purpose in order to have access thereto. The applicant shall provide identification in the form of a California driver's license or California identification card, showing the applicant to be at least 18 years of age, and shall sign a statement, on a form provided by the Department of Justice, stating that the applicant is not a registered sex offender, that he or she understands the purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders, and he or she understands it is unlawful to use information obtained from the CD-ROM or other electronic medium to commit a crime against any registrant or to engage in illegal discrimination or harassment of any registrant. The signed statement shall be maintained in a file in the designated law enforcement agency's office.

(B) The records of persons requesting to view the CD-ROM or other electronic medium are confidential, except that a copy of the applications requesting to view the CD-ROM or other electronic medium may be disclosed to law enforcement agencies for law enforcement purposes.

(C) Any information identifying the victim by name, birth date, address, or relationship to the registrant shall be excluded from the CD-ROM or other electronic medium.

(5) (A) The income from the operation of the "900" telephone number shall be deposited in the Sexual Predator Public Information Account, which is hereby established within the Department of Justice for the purpose of the implementation of this section by the Department of Justice, including all actual and reasonable costs related to establishing and maintaining the information described in subdivision (a) and the CD-ROM or other electronic medium described in this subdivision.

(B) The moneys in the Sexual Predator Public Information Account shall consist of income from the operation of the "900" telephone number program authorized by this section, proceeds of the loan made pursuant to Section 6 of the act adding this section, and any other funds made available to the account by the Legislature. Moneys in the account shall be available to the Department of Justice upon appropriation by the Legislature for the purpose specified in subparagraph (A).

(C) When the "900" telephone number is called, a preamble shall be played before charges begin to accrue. The preamble shall run at least the length of time required by federal law and shall provide the following information:

(i) Notice that the caller's telephone number will be recorded.

(ii) The charges for use of the "900" telephone number.

(iii) Notice that the caller is required to identify himself or herself to the operator.

(iv) Notice that the caller is required to be 18 years of age or older.

(v) A warning that it is illegal to use information obtained through the "900" telephone number to commit a crime against any registrant or to engage in illegal discrimination or harassment against any registrant.

(vi) Notice that the caller is required to have the birth date, California driver's license or identification number, social security number, address, or other identifying information regarding the person about whom information is sought in order to achieve a positive identification of that person.

(vii) A statement that the number is not a crime hotline and that any suspected criminal activity should be reported to local authorities.

(viii) A statement that the caller should have a reasonable suspicion that a person is at risk.

(D) The Department of Justice shall expend no more than six hundred thousand dollars (\$600,000) per year from any moneys appropriated by the Legislature from the account.

(b) (1) Any person who uses information disclosed pursuant to this section to commit a felony shall be punished, in addition and consecutive to, any other punishment, by a five-year term of imprisonment in the state prison.

(2) Any person who, without authorization, uses information disclosed pursuant to this section to commit a misdemeanor shall be subject to, in addition to any other penalty or fine imposed, a fine of not less than five hundred dollars (\$500) and not more than one thousand dollars (\$1,000).

(c) The record of the compilation of offender information on each CD-ROM or other electronic medium distributed pursuant to this section shall be used only for law enforcement purposes and the public safety purposes specified in

this section and Section 290. This record shall not be distributed or removed from the custody of the law enforcement agency that is authorized to retain it. Information obtained from this record shall be disclosed to a member of the public only as provided in this section or Section 290, or any other statute expressly authorizing it.

Any person who copies, distributes, discloses, or receives this record or information from it, except as authorized by law, is guilty of a misdemeanor, punishable by imprisonment in a county jail not to exceed six months or by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine. This subdivision shall not apply to a law enforcement officer who makes a copy as part of his or her official duties in the course of a criminal investigation, court case, or as otherwise authorized by subdivision (n) of Section 290. This subdivision shall not prohibit copying information by handwriting.

Notwithstanding Section 6254.5 of the Government Code, disclosure of information pursuant to this section is not a waiver of exemptions under Chapter 3.5 (commencing with Section 6250) of Title 1 of Division 7 of the Government Code and does not affect other statutory restrictions on disclosure in other situations.

(d) Unauthorized removal or destruction of the CD-ROM or other electronic medium from the offices of any law enforcement agency is a misdemeanor, punishable by imprisonment in a county jail not to exceed one year, or by a fine not exceeding one thousand dollars (\$1,000), or by both that imprisonment and fine.

(e) (1) A person is authorized to use information disclosed pursuant to this section only to protect a person at risk. This section shall not affect authorized access to, or use of, information pursuant to, among other provisions, Sections 11105 and 11105.3 of this code, Section 226.55 of the Civil Code, Sections 777.5 and 14409.2 of the Financial Code, Sections 1522.01 and 1596.871 of the Health and Safety Code, and Section 432.7 of the Labor Code.

(2) Except as authorized under paragraph (1) or any other provision of law, use of any information, for purposes relating to any of the following, and that is disclosed pursuant to this section, is prohibited:

- (A) Health insurance.
- (B) Insurance.
- (C) Loans.
- (D) Credit.
- (E) Employment.
- (F) Education, scholarships, or fellowships.
- (G) Housing or accommodations.
- (H) Benefits, privileges, or services provided by any business establishment.

(3) (A) Any use of information disclosed pursuant to this section for purposes other than those provided by paragraph (1) of subdivision (e) or in violation of paragraph (2) of subdivision (e) shall make the user liable for the actual damages, and any amount that may be determined by a jury or a court

sitting without a jury, not exceeding three times the amount of actual damage, and not less than two hundred fifty dollars (\$250), and attorney's fees, exemplary damages, or a civil penalty not exceeding twenty-five thousand dollars (\$25,000).

(B) Whenever there is reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of misuse of the "900" telephone number in violation of paragraph (2) of subdivision (e), the Attorney General, any district attorney, or city attorney, or any person aggrieved by the misuse of that number is authorized to bring a civil action in the appropriate court requesting preventive relief, including an application for a permanent or temporary injunction, restraining order, or other order against the person or group of persons responsible for the pattern or practice of misuse. The foregoing remedies shall be independent of any other remedies or procedures that may be available to an aggrieved party under other provisions of law, including Part 2 (commencing with Section 43) of Division 1 of the Civil Code.

(f) This section shall not be deemed to authorize the publication, distribution, or disclosure of the address of any person about whom information can be published, distributed, or disclosed pursuant to this section.

(g) Community notification shall be governed by subdivisions (m) and (n) of Section 290.

(h) The Department of Justice shall submit to the Legislature an annual report on the operation of the "900" telephone number required by paragraph (3) of subdivision (a) on July 1, 1996, July 1, 1997, and July 1, 1998. The annual report shall include all of the following:

(1) Number of calls received.

(2) Amount of income earned per year through operation of the "900" telephone number.

(3) A detailed outline of the amount of money expended and the manner in which it was expended for purposes of this section.

(4) Number of calls that resulted in an affirmative response and the number of calls that resulted in a negative response with regard to whether a named individual was listed pursuant to subdivision (a).

(5) Number of persons listed pursuant to subdivision (a).

(6) A summary of the success of the "900" telephone number program based upon selected factors.

(i) Any law enforcement agency and employees of any law enforcement agency shall be immune from liability for good faith conduct under this section. For the purposes of this section, "law enforcement agency" means the Attorney General of California, every district attorney, and every state or local agency expressly authorized by statute to investigate or prosecute law violators.

(j) On or before July 1, 2000, the Department of Justice shall make a report to the Legislature concerning the changes to the operation of the "900" telephone number program made by the amendments to this section by

Chapter 908 of the Statutes of 1996. The report shall include all of the following:

(1) Number of calls received by county.

(2) Number of calls that resulted in an affirmative response and the number of calls that resulted in a negative response with regard to whether a named individual was listed pursuant to subdivision (a).

(3) Number of persons listed pursuant to subdivision (a).

(4) Statistical information concerning prosecutions of persons for misuse of the "900" telephone number program, including the outcomes of those prosecutions.

(5) A summary of the success of the "900" telephone number based upon selected factors.

(k) The registration and public notification provisions of this section are applicable to every person described in these sections, without regard to when his or her crimes were committed or his or her duty to register pursuant to this section arose, and to every offense described in these sections, regardless of when it was committed.

(l) No later than December 31, 1998, the Department of Justice shall prepare an informational pamphlet that shall be mailed to any member of the public who makes an inquiry using the "900" telephone number required by this section and who provides an address. The pamphlet shall provide basic information concerning appropriate steps parents, guardians, and other responsible adults can take to ensure a child is safe from a suspected child molester, including, but not limited to, how to identify suspicious activity by an adult, common facts and myths about child molesters, and how to obtain additional help and information. A notice to callers to the "900" telephone number that they will receive the pamphlet, if an address is provided, shall be included in the preamble required by this section.

(m) This section shall remain operative only until January 1, 2001, and as of that date is repealed unless a later enacted statute, which becomes effective on or before that date, deletes or extends that date.