

TABLE OF CONTENTS

	<u>PAGE</u>
SUMMARY	1
HISTORY OF SEX OFFENDER REGISTRATION	5
CALIFORNIA SEX OFFENDER INFORMATION	6
MEGAN'S LAW	15
THE FUTURE	23
APPENDIX	24

Summary

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



Department of Justice

The Departments’s Violent Crime Information Center (VCIC) houses the Sex Offender Tracking Program (SOTP), Megan’s Law and California Sex Offender Information Programs. The SOTP has primary responsibility for processing information into the California Sex Offender Registry, which is maintained within the Violent Crime Information Network (VCIN). The SOTP manages information on 88,000 registered sex offenders, classified as “high-risk”, “serious” or “other” offenders. Additionally, the SOTP is responsible for the development, distribution and information integrity of the Megan’s Law CD-ROM and the operation of a “900” line telephone service (California Sex Offender Information), legislatively mandated since 1994 pursuant to California Penal Code Section 290.4.

The California Sex Offender Information, “900” line telephone service, available to the public at 1-900-448-3000, began operation in July 1995. In December 1996, under California’s Megan’s Law, the “900” line telephone service was expanded to provide information to the public regarding offenders who have been convicted of specified sex crimes against adults and children. From July 3, 1995 through December 31, 2000, the “900” line telephone service has received 23,386 telephone calls and 16,302 mail-in requests. There has been 81,690 VCIN database searches stemming from

those calls or mail. From the 81,690 searches, 1,669 matches were made in which the subject of the inquiry was identified as a “serious” or “high-risk” sex offender.

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 or are employed in a community. California’s Megan’s Law requires the California Department of Justice to produce monthly, 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 at police departments in cities with a population of 200,000 or more, and 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 produced by the VCIC covers California’s Megan’s Law and California Sex Offender Information for calendar year 2000. Information presented in this report was gathered from responses to questionnaires sent to law enforcement agencies using the Megan’s Law CD-ROM. Surveys were sent to 529 law enforcement agencies. From the 529 surveys, the Department of Justice received responses from 413 agencies, a 78 percent response.

Agencies responding to these surveys indicated that 336 law enforcement agencies made public disclosures to their communities on 444 high-risk and serious sex offenders. These same agencies distributed more than 10,615 fliers profiling those high-risk and serious sex offenders.

Under close law enforcement supervision, the Megan's Law CD-ROM was made available for public viewing by 179 law enforcement agencies throughout the state. Approximately 30,000 people searched the CD-ROM for sex offenders.

Based on survey responses from more than 7,500 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 15 percent of the viewers recognized sex offenders as individuals they knew. They recognized friends, neighbors, employees, employers, youth coaches and relatives and, in most cases, viewers were surprised to see someone familiar.

Several identifications made by people accessing the CD-ROM and "900" line telephone service 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 resulted in arrests and charges filed against the offender. Other cases resulted in sex offenders being removed from a situation in which they posed a dangerous risk to children.

Megan's Law can only be successful in jurisdictions where it is made available and used. In the year 2000, more than 44 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 80 percent of those law enforcement agencies allowed the public to access the CD-ROM.

CD-ROM viewership could be expanded by agencies alerting the public to the availability of the CD-ROM at their agency and 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. Nearly 20 percent of the agencies make the CD-ROM available at multiple locations. In the year 2000, approximately 60 agencies made the CD-ROM available at community events such as county fairs, Parent Teacher Association meetings, neighborhood watch meetings, and family

safety fairs. Over 7,000 individuals viewed the CD-ROM at these events. This has been a highly effective way of reaching the public.

After more than four 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.

History 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 2000, more than 88,000 sex offenders are required to register in California.

Upon release from a local jail, state prison, or completion of any alternative sentence, sex offenders are required to register within five working days of moving into any law enforcement agency's jurisdiction, and when they change their name or residence address or location. In addition, each sex offender is required to register annually within five working days of their birthday. If a sex offender has no residence address, he or she is required to update his or her registration once within every 90 days. Sex offenders convicted in federal or military courts, or in other states for sex offenses that are comparable to California registrable sex offenses are also required to register within five working days of entering California. Since 1995, sex offenders convicted of felonies who fail to register can be charged with a felony, which may result in a "third strike" conviction.

With the implementation of Megan's Law in 1996, a convicted, registered sex offender can be classified as a "high-risk" sex offender, as defined by Penal Code Section 290(n); as a "serious" sex offender, as defined by Penal Code Section 290.4(a)(1); or as an "other" sex offender. An "other" sex offender is a person who is required to register pursuant to Penal Code Section 290 but whose offense is not listed within section 290.4(a)(1). As of December 2000, over 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 California Sex Offender Information. The remaining 14,000 registered sex offenders are classified as "other" and not subject to public disclosure.

California Sex Offender Information

On July 3, 1995, California started the "900" telephone line service, the first program of its kind in the nation. This telephone service, using a fee-based "900" line telephone service, provided information to adults regarding convicted child molesters. In December 1996, due to the passage of California's Megan's Law, the information available through the "900" line telephone service was expanded to include most sex offenders who committed crimes against adult victims. The "900" line telephone service is now known as California Sex Offender Information to reflect the availability of the expanded information.

Adults concerned about the safety of a child, themselves or others can take proactive steps to protect themselves by calling the "900" line telephone service. The cost for this service is a flat rate fee of \$10 per call for inquiries on up to two individuals.

When a person places a call, a pre-recorded message provides him or her with instructions regarding the use of the line. To check on an individual, a caller must be over 18 years of age, provide his or her name, the county or state from which he or she is calling, the reason for the inquiry and the number of persons who may be at risk. The message also informs the caller of the charge for use of the "900" line telephone service and provides an opportunity to discontinue the call without being billed. The message warns each caller that it is



"900" Specialist at Work

illegal to use the information obtained through the line to harass, discriminate or commit a crime against any sex offender. The message states that the line is not a crime hotline and advises callers to report any suspected criminal activity to the appropriate local law enforcement or child protective services agency. To date, there has been no reported misuse of the "900" line.

If a caller remains on the line, the call is then forwarded to a staff specialist who will verify the caller is not a registered sex offender. The specialist will then perform the requested search about the individual(s) in question.

The caller must provide the following information:

- individual's name and
- exact birth date or
- social security number or
- California driver's license or identification number or if the caller is calling from out of state, provide the name, social security or identification number.

If that information is not available, the caller must provide the individual's name and five of the following:

- eye color
- hair color
- height
- weight
- race
- scars, marks or tattoos

The specialist uses the information provided by the caller to search the database. A "hit" occurs if the information provided by the caller matches information about the individual in question in the database, meaning the individual is a registered sex offender. If a "hit" occurs, the staff specialist will provide the caller with the registrant's physical description, the community of residence, and the specific sex offenses that require the person to register. The caller is not provided with the actual address of the registrant. If necessary, the caller is also provided with a name and number of a local organization that can provide them with additional information for victim assistance or counselors that can provide support to anyone who may have had contact with the sex offender. If a "hit" is not made on an individual, the specialist informs the caller that the person does not appear to be a serious or high-risk registered sex offender.

If the specialist is unable to give a definite reply regarding a search, he or she will provide the caller with an alternate telephone number to call back if the caller is able to provide additional information. Additional searches through this number are made to complete the inquiry at no additional charge. If a caller gives address information for a registrant that differs from the information in our files, the program specialist notifies the Department's Sex Registration Unit.

A staff specialist performs a file review of the criminal record on each hit. During the file review process, the program's lead specialist determines whether the registrant is on probation or parole and what, if any, restrictions are applicable. The probation or parole officer is contacted when appropriate and notified of the registrant's reported activities. Also, local law enforcement agencies may be notified depending on the situation.

The program also provides organizations and businesses with an alternate way to make multiple inquiries. An electronic submission process is made available to organizations, businesses and individuals who have the need to use our services to check on multiple individuals such as volunteers and employees.

To use the *California Sex Offender Information Electronic Submission Mail-In Request Form*, the requester must submit a request for a minimum of six individuals on a diskette. The processing cost is \$4 per named individual. The form must include the name of the organization (or requestor), telephone number, name of person to contact with the results, number of persons at risk, and search information. The contact person listed is given the results by telephone within three working days after receipt of the request.

During the 2000 calendar year, the “900” line received 3,710 incoming telephone calls and conducted 16,702 searches from mail-in requests for a total of 24,835 searches to the database. Based on the information provided by the requestor, 147 matches were made.

“900” Line
Number of Calls by County

County	1996	1997	1998	1999	2000
Statewide Total	*4,900	3,705	2,876	3,236	3,710
Alameda	66	104	46	62	85
Alpine	0	0	0	0	0
Amador	3	4	1	0	1
Butte	25	75	38	29	24
Calaveras	11	11	3	6	1
Colusa	0	0	1	0	0
Contra Costa	39	45	27	100	275
Del Norte	3	4	1	0	0
El Dorado	11	15	6	9	12
Fresno	54	33	9	28	7
Glenn	4	4	1	4	0
Humboldt	18	21	11	4	2
Imperial	8	35	19	2	3
Inyo	0	1	3	0	1
Kern	52	115	53	45	34
Kings	10	9	4	6	3
Lake	6	7	5	3	3
Lassen	5	8	0	1	0
Los Angeles	438	864	708	391	350
Madera	12	19	9	11	12
Marin	16	27	10	14	1
Mariposa	2	1	4	0	0
Mendocino	15	23	1	25	7
Merced	7	11	1	2	2
Modoc	1	1	0	1	0
Mono	1	1	0	1	0
Monterey	23	45	41	63	50
Napa	14	22	15	9	1
Nevada	0	6	20	0	21

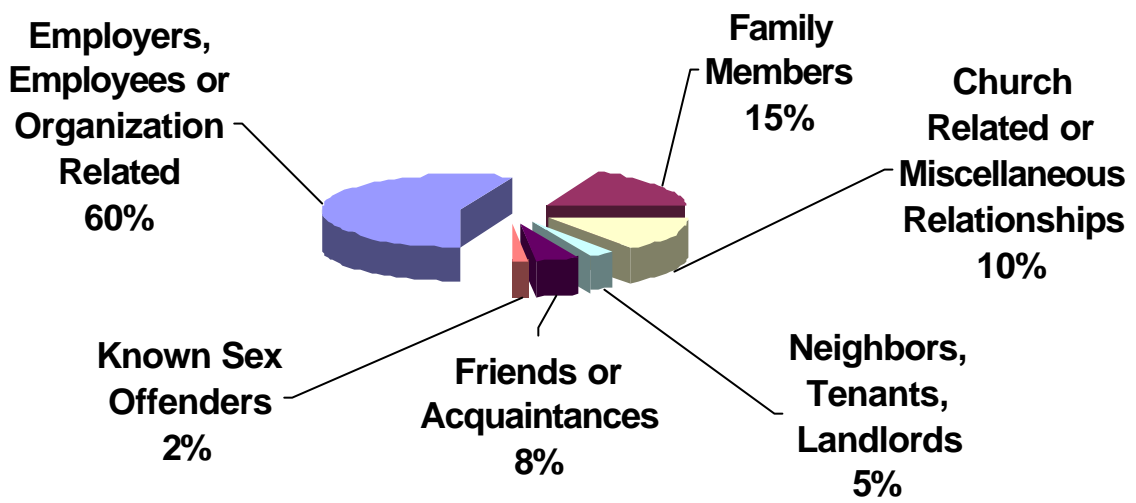
“900” Line
Number of Calls by County - Continued

County	1996	1997	1998	1999	2000
Orange	169	350	160	344	440
Placer	27	31	11	12	19
Plumas	7	9	1	0	4
Riverside	241	262	283	269	275
Sacramento	197	203	51	3	250
San Benito	8	9	1	3	0
San Bernardino	271	371	317	380	450
San Diego	86	119	134	300	462
San Francisco	15	20	17	15	16
San Joaquin	48	64	32	38	26
San Luis Obispo	34	29	23	16	7
San Mateo	18	46	43	24	16
Santa Barbara	17	21	14	39	9
Santa Clara	83	105	92	115	100
Santa Cruz	25	30	21	32	8
Shasta	78	61	62	0	20
Sierra	0	0	0	0	0
Siskiyou	2	3	0	0	1
Solano	26	43	34	34	23
Sonoma	42	74	51	21	37
Stanislaus	53	87	82	54	60
Sutter	14	6	9	11	7
Tehama	15	21	18	16	15
Trinity	10	3	0	0	2
Tulare	38	90	166	77	40
Tuolumne	6	6	5	2	4
Ventura	44	59	94	207	69
Yolo	9	19	28	15	33
Yuba	2	3	3	35	2
Out-of-State	41	3	90	233	420

* “900” Line statistics began in August 1996.

The data collected indicates that the individuals being identified as “serious” sex offenders have the following relationships to the callers:

**“900” Line
Relationship to Caller
2000**



California Sex Offender Information Success Stories

Some anecdotal examples of the “900” line telephone service hits are listed below. Names, locations, and other specifics are not included to protect the anonymity of the callers.

- The caller’s niece had been corresponding with the subject via the Internet. The subject had been convicted of two counts of lewd and lascivious acts with a child under 14 and received five years probation.
- A caller telephoned to check on one of her neighbors in her apartment complex. The subject had been convicted of sodomy by force and had been sentenced to four years in prison.
- A caller, concerned for her family’s safety, called to check on her real estate agent who had access to her home. The agent had a conviction for assault to commit rape and received eight years prison.
- A landlord of an apartment complex called to check on a tenant who claimed to be living with and guardian of a 14 - year-old boy. The tenant had been convicted of oral copulation with a person under 14 and oral copulation by force, and he had been sentenced to three years in prison. The law enforcement agency with jurisdiction was contacted because the subject was out of compliance with State registration requirements and residing at an unregistered address.
- A caller, concerned for his children’s safety, and the fact that his wife provides a child day center in their home, called to check on the subject who frequently offered to watch the caller’s children. The subject had been convicted of lewd or lascivious acts with a child under 14 and received three years in prison.
- A movie theater employee called regarding one of his staff scheduled to work in a theater with 40 children. The subject had been convicted of oral copulation by

force, nine counts of lewd or lascivious acts with a child and sentenced to five years in prison.

- A caller met the subject over the Internet and the subject planned to move to California and reside with her and her young child. The subject had been convicted of misdemeanor child molestation and felony sexual battery. The subject received six years probation and 210 days county jail.

Revenue and Expenditures

The revenue from the operation of the “900” line telephone service during Fiscal Year 99/00 totaled \$68,609. These revenues include fees collected from organizations that mailed in requests and individuals that called the “900” line telephone service. Revenues collected for the first half of Fiscal Year 00/01 total \$58,874.

Expenditure for the “900” line telephone service for Fiscal Years 99/00 and 00/01 totaled \$57,525 annually. This included staff salaries and benefits, supplies, printing and other administrative services.

Megan's Law

The federal Megan's Law was signed into law on May 8, 1996. This act encouraged states to implement programs to release specific registered sex offender information to the public. 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. 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. 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. California's Megan's Law requires the Department of Justice to produce and distribute monthly a CD-ROM or other electronic medium containing specific information on all high-risk and serious sex offenders. 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. Many police departments with smaller jurisdictions have also voluntarily elected to make the CD-ROM available to the public.



Public Viewing at DOJ

In 2000, 179 law enforcement agencies made the CD-ROM available for public viewing. Currently, the CD-ROM is distributed monthly to more than 450 law enforcement agencies. Agencies making the CD-ROM available include every sheriff's department, over 115 police departments, and the

California Department of Justice. In addition, several county district attorneys' offices, county probation departments, and college campus police departments make the CD-ROM available for public viewing. The agencies which do not make the CD-ROM available for public viewing still use it as an important investigative tool.

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 existing law requires 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, many police departments and other allied law enforcement agencies throughout the State.

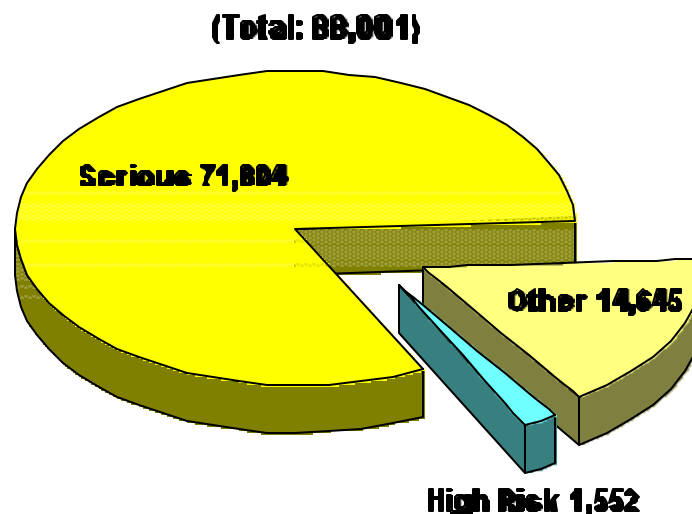
Under California's Megan's Law, "serious" sex offenders are considered to be individuals convicted of at least one of the following charges:

- 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, 2000, a total of 71,804 convicted sex offenders were considered "serious".

“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, 2000, a total of 1,552 registered convicted sex offenders were considered “high-risk” as defined by California’s Megan’s Law.

California Registered Sex Offenders



“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, 2000, a total of 14,645 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, and it is not available to the public through California Sex Offender Information 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 including the CD-ROM, posters, and public health, safety fairs and county fairs. As a result, the policies developed by local agencies reflect the diversity of each community, and vary from jurisdiction to jurisdiction.

In 2000, participating agencies made public disclosures to their communities on over 330 high-risk and serious sex offenders and distributed more than 10,600 fliers profiling them. Law enforcement agencies have found that their communities become their “eyes and ears” once a notification has been conducted. 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’ return to state prison for violation of parole conditions.

Californians who wish to obtain information from the Megan’s Law CD-ROM must be at least 18 years of age or accompanied by a parent or legal guardian. They must also complete a form stating that they are not a registered sex offender and that they understand 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.

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 75 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, which identify the approximate location of high-risk and serious sex offenders without using names or exact address. There are now 29 agencies throughout the State using pin-dot maps with more agencies stating they intend to use them. The maps can be used to identify registrants within specific distances of elementary schools, middle/junior

high schools, high schools, public or private schools. A letter may be included with the maps to encourage adults to view the CD-ROM at police or sheriff's departments. Agencies have found this an effective way to increase the number of people viewing the CD-ROM.

Megan's Law Success Stories

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. The following are some examples of identifications through the Megan's Law CD-ROM or law enforcement disseminations made during 2000.

- A person, concerned about a single mother with two daughters, identified a registrant on the CD-ROM. The person contacted local law enforcement, ultimately resulting in the registrant's arrest for possession of child pornography.
- At a school meeting where the CD-ROM was available, a mother identified a manager of a laundromat who played with her children. At the same meeting, another mother identified a neighbor in her apartment building as a registered sex offender.
- At an elementary school, a volunteer who did not have children attending the school made teachers and parents suspicious because of his affectionate kissing and hugging of children. The school superintendent checked the Megan's Law CD-ROM and found the volunteer was a "serious" sex offender. The registrant was relieved of his volunteer status.
- Because of a notification made by law enforcement, a citizen recognized a "high risk" sex offender. The citizen contacted the police department and the offender was arrested for a parole violation and child molestation.
- After law enforcement agencies distributed flyers showing a serious sex offender, neighbors recognized the offender who had been associating with neighborhood children

and discovered he had been taking them to nearby woods for sex. He was arrested, convicted and is currently incarcerated for sexually abusing three children.

- After public release of information and viewing the CD-ROM at a sheriff's office, a director of a child care center learned of a high-risk offender living near the child care center. The director notified her employees and later one of the employees saw the offender expose himself. The offender was tracked by law enforcement and was arrested and convicted in two counties on additional sex offense charges.
- A young mother identified her ex-husband's friend on the CD-ROM. The ex-husband picked up the child at day care and took him for visitation to his mother's house, where the sex offender was living. The mother informed law enforcement and the sex offender was advised it was a violation of his parole to be around children. The father was also advised and the mother was able to restrict visitation.
- A woman viewing the CD-ROM identified a man she was currently dating. The sex offender told her that he had done something, but had not given her details. The sex offender had been convicted of child molestation. The woman ended the relationship because of concern for her children.
- Officers using the CD-ROM as an investigative tool found that a registrant provided a false address. He was located, arrested and convicted for failure to register his current address.
- One agency identified six sex offender registrants in violation of registration requirements through viewing the CD-ROM. Four were arrested and convicted for failure to register properly; the other two had a felony warrant and a misdemeanor warrant issued for them.
- A high risk offender failed to register for several months and his location was unknown. Law enforcement requested assistance from the local newspaper and, within 15 minutes

of the press release, the agency got a tip as to where the offender was. He was arrested for failure to register.

These are just a few examples of identifications of sex offenders made by using the CD-ROM, which may have helped prevent future offenses. These identifications may have helped prevent future offenses either by removing the known offender from a situation where others were vulnerable, or by providing potential victims with information to protect themselves and others.

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

The Future

While California's Megan's Law has been very successful during the first four and a half years of existence, the Department of Justice will continue to strive toward increased public protection efforts.

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 public access to information for self or family protection.

Due to a sunset clause included in Penal Code Section 290.4, public access to sex offender information via the "900" line telephone service and the Megan's Law CD-ROM is set to terminate on January 1, 2004. Attorney General Bill Lockyer fully supports the removal of the sunset clause.

Appendix

- **Agencies responding to the 2000
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 2000 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 Francisco County Sheriff's Department
Fresno County Sheriff's Department*	San Joaquin County Sheriff's Department*
Glenn County Sheriff's Department*	San Luis Obispo County Sheriff's Department*
Humboldt County Sheriff's Department*	San Mateo County Sheriff's Department*
Imperial County Sheriff's Department*	Santa Barbara County Sheriff's Department*
Inyo County Sheriff's Department*	Santa Clara County Sheriff's Department*
Kern County Sheriff's Department*	Santa Cruz County Sheriff's Department*
Kings County Sheriff's Department*	Shasta County Sheriff's Department*
Lake County Sheriff's Department*	Sierra County Sheriff's Department*
Lassen County Sheriff's Department*	Siskiyou County Sheriff's Department*
Los Angeles County Sheriff's Department*	Solano County Sheriff's Department*
Madera County Sheriff's Department*	Sonoma County Sheriff's Department*
Marin County Sheriff's Department*	Stanislaus County Sheriff's Department*
Mariposa County Sheriff's Department*	Sutter County Sheriff's Department*
Mendocino County Sheriff's Department*	Tehama County Sheriff's Department*
Merced County Sheriff's Department*	Trinity County Sheriff's Department*
Modoc 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.

POLICE DEPARTMENTS

Alameda Police Department*	Corning Police Department
Albany Police Department	Corona Police Department
Anaheim Police Department*	Coronado Police Department
Anderson Police Department	Costa Mesa Police Department*
Antioch Police Department	Cotati Police Department
Arcadia Police Department	Covina Police Department*
Arcata Police Department	Culver City Police Department
Arroyo Grande Police Department	Cypress Police Department*
Atascadero Police Department	Daly City Police Department
Atherton Police Department*	Danville Police Department*
Atwater Police Department*	Davis Police Department
Auburn Police Department*	Delano Police Department
Azusa Police Department*	Dinuba Police Department
Bakersfield Police Department*	Dixon Police Department
Baldwin Park Police Department*	Dos Palos Police Department*
Banning Police Department	Downey Police Department
Bell Gardens Police Department*	Dublin Police Department
Bell Police Department*	El Centro Police Department
Belmont Police Department	El Cerrito Police Department
Benecia Police Department	El Monte Police Department*
Berkeley Police Department*	El Segundo Police Department
Beverly Hills Police Department	Emeryville Police Department
Blue Lake Police Department*	Escondido Police Department
Blythe Police Department*	Eureka Police Department
Brentwood Police Department*	Exeter Police Department*
Broadmoor Police Department	Fairfield Police Department
Buena Park Police Department*	Farmersville Police Department*
Burlingame Police Department	Firebaugh Police Department
Burbank Police Department*	Folsom Police Department*
Calexico Police Department	Fontana Police Department
California City Police Department*	Fort Bragg Police Department
Campbell Police Department*	Fortuna Police Department*
Capitola Police Department	Foster City Police Department*
Carlsbad Police Department	Fountain Valley Police Department
Ceres Police Department	Fowler Police Department*
Chico Police Department	Fremont Police Department*
Chino Police Department	Fresno Police Department*
Chowchilla Police Department	Fullerton Police Department*
Chula Vista Police Department	Galt Police Department*
Citrus Heights Police Department*	Garden Grove Police Department
Claremont Police Department*	Gardena Police Department
Clayton Police Department*	Gilroy Police Department *
Clearlake Police Department*	Glendale Police Department*
Cloverdale Police Department	Glendora Police Department*
Clovis Police Department*	Grover Beach Police Department
Coalinga Police Department*	Gustine Police Department*
Colton Police Department	Hawthorne Police Department
Concord Police Department*	City of Hayward Police Department*

*Indicates agencies that make the Megan's Law CD-ROM available for public viewing.

POLICE DEPARTMENTS (continued)

Healdsburg Police Department	Mount Shasta Police Department*
Hemet Police Department	Mountain View Police Department*
Hercules Police Department*	Murrieta Police Department
Hermosa Beach Police Department	Newark Police Department*
Hillsborough Police Department	Newman Police Department*
Hollister Police Department	Newport Beach Police Department*
Holtville Police Department	Oakdale Police Department*
Huntington Beach Police Department	Oakland Police Department*
Huntington Park Police Department*	Oceanside Police Department
Indio Police Department	Ontario Police Department
Inglewood Police Department	Orinda Police Department*
Irvine Police Department	Oroville Police Department
Irwindale Police Department	Oxnard Police Department
Kensington Police Department*	Pacifica Police Department
Kerman Police Department	Palm Springs Police Department*
King City Police Department	Palo Alto Police Department*
Kingsburg Police Department*	Paradise Police Department*
La Mesa Police Department*	Pasadena Police Department*
La Palma Police Department*	Paso Robles Police Department
Laguna Beach Police Department	Patterson Police Department*
Lemoore Police Department	Piedmont Police Department*
Lincoln Police Department	Pismo Beach Police Department
Livermore Police Department	Pittsburg Police Department
Livingston Police Department*	Placentia Police Department*
Lodi Police Department*	Placerville Police Department*
Lompoc Police Department	Pleasant Hill Police Department
Long Beach Police Department*	Pleasanton Police Department*
Los Altos Police Department*	Pomona Police Department
Los Angeles Police Department*	Port Hueneme Police Department*
Los Banos Police Department	Porterville Police Department
Los Gatos Police Department*	Redding Police Department*
Mammoth Lakes Police Department*	Redondo Beach Police Department*
Manhattan Beach Police Department	Reedley Police Department*
Manteca Police Department*	Rialto Police Department
Marina Department of Public Safety*	Richmond Police Department*
Martinez Police Department*	Rio Dell Police Department
Marysville Police Department	Rio Vista Police Department
Merced Police Department	Ripon Police Department*
Mill Valley Police Department*	Riverside Police Department*
Milpitas Police Department*	Rohnert Park Police Department
Modesto Police Department*	Sacramento Police Department*
Monrovia Police Department*	Salinas Police Department
Montclair Police Department	San Bernardino Police Department
Monterey Park Police Department	San Bruno Police Department
Monterey Police Department	San Carlos Police Department
Moraga Police Department	San Fernando Police Department*
Moreno Valley Police Department*	San Jacinto Police Department
Morgan Hill Police Department*	San Jose Police Department*
Morro Bay Police Department	San Leandro Police Department*

*Indicates agencies that make the Megan's Law CD-ROM available for public viewing.

POLICE DEPARTMENTS (continued)

San Marino Police Department	Torrance Police Department
San Mateo Police Department*	Tracy Police Department*
San Rafael Police Department*	Trinidad Police Department*
Sand City Police Department	Tulare Police Department
Santa Ana Police Department*	Turlock Police Department*
Santa Barbara Police Department	Tustin Police Department
Santa Cruz Police Department	Ukiah Police Department*
Santa Maria Police Department	Union City Police Department*
Santa Monica Police Department	Vacaville Police Department
Santa Paula Police Department	Vallejo Police Department
Santa Rosa Police Department	Ventura Police Department*
Scotts Valley Police Department	Vernon Police Department*
Seal Beach Police Department	Visalia Police Department
Sebastopol Police Department	Walnut Creek Police Department
Selma Police Department*	Watsonville Police Department
Signal Hill Police Department*	Weed Police Department*
Simi Valley Police Department*	West Covina Police Department
Sonoma Police Department	Westminster Police Department
South Lake Tahoe Police Department*	Whittier Police Department*
South Pasadena Police Department	Willets Police Department
St. Helena Police Department*	Willows Police Department
Stockton Police Department*	Winters Police Department
Sunnyvale Public Safety Department*	Woodlake Police Department
Taft Police Department	Woodland Police Department
Tiburon Police Department	Yreka Police Department
	Yuba City Police Department*

*Indicates agencies that make the Megan's Law CD-ROM available for public viewing.

DISTRICT ATTORNEY'S OFFICES

Alameda County District Attorney's Office
Amador County District Attorney's Office
Butte County District Attorney's Office
Humboldt County District Attorney's Office
Kern County District Attorney's Office
Lassen County District Attorney's Office*
Los Angeles County District Attorney's Office
Marin County District Attorney's Office
Mariposa County District Attorney's Office
Monterey County District Attorney's Office

Orange County District Attorney's Office
San Diego County District Attorney's Office
San Joaquin County District Attorney's Office
San Luis Obispo County District Attorney's Office
Santa Cruz County District Attorney's Office
Shasta County District Attorney's Office
Yolo County District Attorney's Office

PROBATION DEPARTMENTS

Imperial County Probation Department
Los Angeles County Probation Department
Madera County Probation Department
Merced County Probation Department
Mendocino County Probation Department
Merced County Probation Department
Monterey County Probation Department

Orange County Probation Department
Plumas County Probation Department
Riverside County Probation Department
Sacramento County Probation Department
San Francisco County Probation Department
Santa Cruz County Probation Department
Solano County Probation Department

COLLEGE CAMPUS POLICE DEPARTMENTS

Cal Poly, Pomona University*
California State University, Chico
California State University, Fullerton
California State University, Hayward*
California State University, Humboldt*
California State University, Los Angeles
California State University, Sacramento
California State University, San Bernardino
California State University, San Francisco
California State University, Sonoma
California State University, Stanislaus
California State University, Dominguez Hills
Cerritos College Police Department
Cuesta College
El Camino Community College District

Los Angeles Mission College
Pasadena Community College*
Pomona Unified School District
San Francisco Community College
San Joaquin Delta Community College
Sierra College*
Sonoma Community College District
State Center Community College
University of California, Berkeley*
University of California, Irvine
University of California, Lawrence Livermore
University of California, Los Angeles
University of California, Santa Barbara

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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. The official shall at the same time forward a current photograph of the person 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) (1) 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.

(2) 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 granted conditional release without supervised probation, or is discharged upon payment of a fine, shall, prior to release or discharge, be informed of the duty to register under this section in open court by the court in which the person has been convicted, and the court 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. If the court finds that it is in the interest of the efficiency of the court, the court may assign the bailiff to require the person to read and sign forms under this section. The court 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 court 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 a current 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 a current 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 whenever 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.

The law enforcement agency may authorize persons and entities who receive the information pursuant to paragraph (3) to disclose information to additional persons only if the agency does the following:

(A) Determines that all conditions set forth in this subdivision have been satisfied regarding disclosure to additional persons.

(B) Identifies the appropriate scope of further disclosure.

(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, the Department of Corrections, the Department of the Youth Authority, 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 attempted commission of any of these offenses; 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. A person under 18 years of age may accompany an applicant who is that person's parent or legal guardian for the purpose of viewing the CD-ROM or other electronic medium.

(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, the Department of Corrections, the Department of the Youth Authority, 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) On or before July 1, 2001, and every year thereafter, the Department of Justice shall make a report to the Legislature concerning the operation of this section.

(n) This section shall remain operative only until January 1, 2004, 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.