



## California Sex Offender Management Board

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### California Sex Offender Management Board Sex Offender Registration: Best Practices and Recommendations

California Penal Code (PC) Sections 290 – 290.024 requires persons convicted of certain crimes to register while residing, working for certain periods of time, or attending school in California. The registrant must appear in person to register with the police department of the city in which he or she resides or is located, or with the sheriff's department if he or she resides or is in an unincorporated area or city which has no police department.

A person who resides, or is located as a transient upon, or is enrolled at or employed by, a campus of the University of California, California State University or a community college must register with the campus police department, in addition to registering with the police or sheriff's department of the jurisdiction where they reside. Additional requirements are contained within Section 290.

To enable registrants to comply with the law and ensure that current and accurate registration information is available to the public on Megan's Law website, [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov), CASOMB recommends that registering agencies:

- Establish registration days that allow registrants to comply with the five working day window for registration compliance. Recommendation: Make registration available on multiple days per week. Consider establishing Tuesday as at least one set day to minimize scheduling conflicts due to the many holidays that fall on Mondays.
- Establish registration times that allow employed registrants to complete registration outside of standard working hours. Recommendation: Available registration times during early morning or evening hours and/or weekends.
- Minimize registration wait time. Recommendation: Establish and encourage registration appointments.
- Take photographs of registrants annually and when there are noticeable changes in appearance.
- Use the most current CJIS 8102 and/or CJIS 8047 form(s). Recommendation: Use the registration forms from the drop-down menu on the registrant's California Sex and Arson Registry (CSAR) profile.
- Use the Spanish CJIS 8102 and/or CJIS 8047 form(s) for Spanish speaking registrants.
- Document registrants who arrive to register outside of established registration days/times. Recommendation: Implement a registration log or tracking system and advise registrants of established days/hours, appointment process and appropriate registering personnel contact information.

- Adequately staff registration services so registrants can comply with registration time limits. Recommendations: Train and staff registration personnel including sworn, civilian, and reserve officers.
- Make available registration days and times clear. Recommendations: Post registration days/hours on police facility signage and on the agency website; designate registration information phone lines with pre-recorded registration information and make available staff to answer questions. Consider multi-language information based on community need.
  - Note: Per California PC Section 290.8: Effective January 1, 1999, any local law enforcement agency that does not register sex offenders during regular daytime business hours on a daily basis, excluding weekends and holidays, shall notify the regional parole office for the Department of Corrections and the regional parole office for the Department of the Youth Authority (*Subsequent name change to Department of Juvenile Justice*) of the days, times, and locations the agency is available for registration of sex offenders pursuant to Section 290.
- Minimize cancellation of established registration times. Recommendations: Establish alternate personnel to continue registration for pre-scheduled activities; in emergency situations, post information on alternate or next available registration dates and times.
- Complete registration for those registrants living or otherwise required to register within the jurisdiction, regardless of any residency restriction. Recommendation: If a law enforcement agency believes a registrant is in violation of an existing registration requirement, the agency must still register the person at the address he or she reports. The agency may then choose to refer the case to the prosecutor, who will retain the discretion whether to prosecute the violation.
- Ensure that staff registers registrants that are bed bound or in medical facilities to avoid their Megan's Law public profiles flagged as being in violation.
- Recommendation: Comply with PC Sections 290.011, 290.013, 290.014, 290.015 requirements by entering registration information into the CSAR within three working days. Consider immediately entering the registration date into CSAR the same day of the registration to prevent any time lapse of information available to querying agencies.

Training information, including State of California Department of Justice bulletins and notices and CSAR usage bulletins are available on the California Law Enforcement Website <http://clew.doj.ca.gov>.

- File 290 PC violation cases in addition to parole or probation violation cases. With Senate Bill 384 changes, misdemeanor 290 PC convictions add a year to the 10- or 20-year minimum registration requirement. A felony 290 PC conviction violation adds 3 years to the 10- or 20-years minimum registration requirement.