



CALIFORNIA SEX OFFENDER REGISTRATION ACT DECISION TREE

PENAL CODE §§ 290–290.024



START HERE

IS THERE A
QUALIFYING CRIMINAL
ADJUDICATION?
(See right panel)

NO



**NO DUTY
TO REGISTER**

No registration
requirement under
the Sex Offender
Registration Act.

YES

WHAT IS THE LEGAL BASIS
FOR REGISTRATION?

1

**CONVICTION OF A
REGISTERABLE OFFENSE**
(Penal Code § 290(c))



Conviction (by plea
or verdict) of a felony
or specified misdemeanor
listed in PC § 290(c),
including attempts and
conspiracies for many
offenses.

**MANDATORY
REGISTRATION**

Registration required
by statute.

2

**COURT-ORDERED
(DISCRETIONARY)
REGISTRATION**
(Penal Code § 290.006)



Court finds on the record
that the offense (even if
not a listed registerable
offense) was committed
as a result of sexual
compulsion or for
purposes of sexual
gratification.

**COURT MAY ORDER
REGISTRATION**

3

**EQUIVALENT CONVICTION
FROM ANOTHER
JURISDICTION**
(Penal Code § 290.005)



Qualifying conviction
from another state,
federal court, military
court, or (in some
circumstances) tribal
court recognized
under California law.

**REGISTRATION
REQUIRED**



PERSON BECOMES A CALIFORNIA PC 290 REGISTRANT

The Department of Justice (DOJ) or the Court assigns a
Risk Assessment Tier: Tier 1 • Tier 2 • Tier 3



REGISTRANT OBLIGATIONS

Registrant must comply with all registration, reporting,
and notification requirements under the Sex Offender
Registration Act until relieved under PC § 290.5 or
other applicable law.



ONGOING COMPLIANCE IS REQUIRED

Failure to comply with registration requirements is a criminal offense.



NOTE: This decision tree is a general guide only and does not constitute legal advice.
For case-specific questions, consult legal counsel and review the full statutory provisions.

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PUBLIC SAFETY • TRANSPARENCY • ACCOUNTABILITY

CALIFORNIA SEX OFFENDER MANAGEMENT BOARD (CASOMB)

Promoting Effective Policy and Public Safety

LEGAL BASIS & CITATIONS

1

**PENAL CODE § 290(c)
MANDATORY REGISTRATION**

A person convicted of a felony or
specified misdemeanor listed in
PC § 290(c), including attempts
and conspiracies for many
offenses, must register.

2

**PENAL CODE § 290.006
COURT-ORDERED (DISCRETIONARY)
REGISTRATION**

The court may order registration if it
finds that the offense was committed
as a result of sexual compulsion or
for purposes of sexual gratification
and states its reasons on the record.
The offense need not be listed in
PC § 290(c).

3

**PENAL CODE § 290.005
EQUIVALENT OUT-OF-STATE,
FEDERAL, OR MILITARY
CONVICTIONS**

A person must register if convicted
in another jurisdiction of an offense
that is substantially equivalent to
a registerable offense under
California law, or if the person is
required to register in the convicting
jurisdiction under circumstances
recognized by California law.

WHAT IS A QUALIFYING CRIMINAL ADJUDICATION?

Includes, but is not limited to:

- Conviction by plea (guilty or no contest) or verdict
- Juvenile adjudications for offenses listed in PC § 290(c)
- Findings of not guilty by reason of insanity (PC § 290.03)
- Certain military, federal, or out-of-state convictions (PC § 290.005)
- Discretionary court order under PC § 290.006

WHAT GENERALLY DOES NOT CREATE REGISTRATION?

- ✗ Mere arrest
- ✗ Charges dismissed without conviction
- ✗ Acquittal
- ✗ Most diversion dispositions that do not result in a conviction
- ✗ Non-registerable conviction unless court orders registration under PC § 290.006



All citations are to the
California Penal Code unless
otherwise noted.
Laws subject to change.