

TOOLKIT: IMPROVING OUTCOMES FOR INDIVIDUALS WITH SEX OFFENSES



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*This Toolkit is submitted to the California Workforce Development Board
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DEDICATION

*This report is dedicated to the Registrants,
their families, and those who assist them.*

REENTRY AGAINST THE ODDS



The first time I heard about “sex offenders” was about 20 years ago. A parole agent said to me, “Mary, do you realize that a Black man in a city that has a reputation for not being welcoming to persons-of-color might leave a bar with his buddies, realize that he should have used the bathroom, urinate in a nearby alley, get slapped with an indecent exposure charge, and just like that he would be on the sex offender registry for life?” That seemed unfair.

The second time I heard about “sex offenders” was from a client who had a sex offense and who told me that he rode on public transportation all night because he had no place to sleep. That seemed inhumane.

Friends Outside’s Mission Statement ends with the goal of “enhancing the character of justice.” Those words have always resonated for me and have never let me forget the reason the organization exists. When we had a chance to compete for a grant from the California Workforce Development Board to “accelerate” employment for a selected targeted reentry group, I immediately thought of this overlooked population.

The project goals were to conduct research, glean information from a team of service providers, obtain input from registrants, and educate the public. Our “Reentry Against the Odds” summit was among the efforts we are making to educate the public about registrants. From this project, we have realized the dearth of factual information about registrants and are learning about the depth of the stigma against them. And, this is just the beginning of the work that needs to be done.

Mary Weaver, Executive Director

Friends Outside in Los Angeles County

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RESEARCH TEAM



Dr. Marco Murillo



Dr. Luis Barrera Castañón

We are profoundly humbled by the honest and sincere interviews we had through our study, as well as the dedication that everyone showed to improving outcomes for individuals with sex offenses. It is clear that anyone that has worked with this population understands the unique challenges and opportunities that exist for these individuals.

We wish to thank Mary Weaver and Friends Outside Los Angeles in Los Angeles County for her leadership and for thinking outside the box when it came to this project. What was clear to our project team is that this topic is not very well understood, and there are a lot of gaps in literature, data and practices that must begin to be addressed for all of us to bring better outcomes for our communities. Society tends to think of the “sex offender” population as a homogeneous group encompassing nefarious individuals without redemption. Our study observed the complexities and unique experiences of this population which represent 169 sexual offenses with a variety of circumstance and nuance.

There is still so much more to learn and analyze and we thank our partners and participants for starting this important conversation. Additionally, we wish to thank all of the organizations that partnered through our Project Team. The Project Team consisted of law enforcement, law practitioners, social service providers, housing providers, workforce development practitioners and individuals with lived experiences—registrants. Your input cannot be understated and your willingness to learn through this project has been invaluable to the individuals in our communities.



CONSULTING & CREATIVE

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ABOUT THIS TOOLKIT

In 2018, Friends Outside in Los Angeles County responded to an “Accelerator” grant opportunity from the California Workforce Development Association, State of California, to propose a plan, a “big idea,” to “accelerate” employment for a targeted population. According to WorldAtlas.com, California has the largest number (106,216) of persons convicted of sex offenses in the United States. These individuals are amongst the most vulnerable and hardest to serve amongst the reentry population for reasons that include the stigma against them and a lack of information about them and the rules that govern them. They, themselves, may be misinformed about the rules/restrictions that govern them and have a lack of information about services and supports that might improve their circumstances.

California was one of the only states that required sex offenders to register online without clearly explaining the different tiers of offenses or information about each “type” of offender’s risk to the community. And, while some changes to the system are starting in 2021, the ramifications have created a subset of persons released from its prisons and jails who have an “increased prevalence of mental health issues, lack of stable support network, increased exposure to drugs and prostitution on the streets, and challenges finding employment.” (California Senate Bill 69, 2018). A confluence of negative public opinion, stereotypes, lack of knowledge, structural weaknesses (e.g., lack of an organized approach to serving them), political inertia, and administrative practices (e.g., state registry system) has resulted in significant employment challenges for these individuals even though they have a lower overall re-arrest rate than their non-“sex offender” peers. (Przybylski, 2015).

Our “Big Idea” was to move the needle of employment for these individuals using a three-step process: (1) conduct research/gather information, (2) educate the workforce system and others who interface with persons with sex offenses about the rules that govern them and best practices for serving them, and (3) take the information to scale by sponsoring a community summit, writing a final report, and creating a “toolkit” for workforce professionals, including a statewide training webinar for workforce professionals, other practitioners and Registrants. Our ultimate goal was to begin to improve the quality and increase the quantity of services to these individuals, and thereby improve their employment outcomes.

Mary Weaver, Executive Director, Friends Outside in Los Angeles County

Dr. Luis Barrera Castañón, Lead Researcher

Dr. Marco Murillo, Researcher

ABOUT TERMINOLOGY USED IN THIS REPORT

Individuals who have committed a crime involving a sexual act are most commonly referred to as “sex offenders.” The Association for the Treatment of Sexual Abusers (ATSA) does not, in general, use the term “sex offender” in its references to individuals who commit sexual offenses. And, while there may be occasions when it is appropriate to use the term, such as when referring to a legal designation encoded in statute, ATSA recommends avoiding its use in all other circumstances. Instead, ATSA uses and recommends the use of person-first descriptors. Preferred terminology includes such phrases as “individuals who commit sexual offenses” and “adolescents/adults who have engaged in sexually abusive behavior,” or, as often preferred by these individuals, simply “registrants.” (Appendix D).

In an effort to reflect person-first language, this study has limited the use of such terms as, “Sex Offender,” “Convict,” “Inmate,” “Offender,” “Parolee,” “Probationer,” “Delinquent,” “Felon,” “Criminal” and similar terms that objectify individuals and/or dehumanize or devalue the individual. For that reason, and based on feedback from individuals of this study, the term “Registrant” or “290 Registrant” or “Individual with Sex Offense” is used throughout this paper, where possible, in order to neutralize any negative connotations created by loaded terms.

Our term is intentional as we are attempting to improve outcomes for individuals with sex offenses. The use of deficit-based language limits our and society’s ability to see or think of registrants as being anything more than their offense.

EXECUTIVE SUMMARY & INTRODUCTION

Background of Sex Offender Laws

In 1947, as the first state to create laws governing sexual offenses, California began its long legal history related to individuals with sex offenses. Since the inception of these sex offense laws, all states and the U.S. federal government have adopted similar practices and some governments worldwide have followed suit.

California's State Registry

In California, sex offenses are governed under Penal Code 290 and apply to anyone convicted of any of 169 sexual offenses (Appendix A). In most cases, these individuals must register for life. Under California Penal Code 290, "Any person convicted of a sexual offense, for the rest of his or her life while residing in California, or while attending school or working in California, shall register with local law enforcement of the city in which he or she is residing, within five working days of coming into, or changing his or her residence within, any city, county, or city and county, or campus in which he or she temporarily resides, and shall be required to register thereafter in accordance with Penal Code 290."

On October 7, 2017, with the signing into law of California Senate Bill (SB) 384 (Appendix C), a three-tiered sex registration system was created. Key components of the new law, commencing January 1, 2021, include the following:

- Establishes three tiers of registration based on specified criteria for each period: (1) at least 10 years; (2) at least 20 years, and (3) life registry. The law requires the individual with a sex offense, also known as a "registrant," to file a petition at the expiration of his or her minimum registration period and authorizes the district attorney to request a hearing on the petition if the petitioner has fulfilled the requirements of the relevant tier. The new law also establishes procedures for a person required to register as a tier-three registrant based solely on his or her risk level to petition the court for termination from the registry after 20 years from release of custody if certain criteria are met. The tiers are as follows:
 - A tier one sexual offense is subject to registration for a minimum of 10 years. A person is a tier one registrant if the person is required to register for conviction as a result of a misdemeanor or of a felony that was not serious or violent in nature.
 - A tier two sexual offense is subject to registration for a minimum of 20 years. A person is a tier two registrant if the person was convicted of a mid-level sexual offense in subdivision (c) of Section 667.5 or subdivision (c) of Section 1192.7, Section 285, subdivision (g) or (h) of Section 286, subdivision (g) or (h) of Section 288a, subdivision (b) of Section 289, or Section 647.6 if it is a second or subsequent conviction for an offense that was brought and tried separately.
 - A tier three offender is subject to registration for life. A person is a tier three registrant if the person was convicted of a high-level sexual offense including rape (in most cases), lewdness with a minor by force or fear, sex trafficking (children), sex crimes against children aged 10 and younger, and repeated sex crimes.

Impact of being a Member of the “Reentry” Population and a “Registrant”

As noted in several studies, almost 1 in 3 Americans has a criminal background (Vallas & Dietrich, 2014). Those who have criminal backgrounds face many challenges when it comes to meeting their basic human needs such as securing housing and employment, challenges which are often made much more difficult by the stigma of being a member of the “reentry” population.

For individuals with sex offenses, their challenges are even greater. Registrants’ reentry into society generates intense debate about the nature of the type of management, treatment, and opportunities which are at their disposal. In recent decades, federal and state policies in the United States pertaining to individuals with sex offenses have focused on management and reducing recidivism. And while public safety, is, in part, perceived by the community by how well they are “managed” and do not recidivate, less attention is given to ensuring that these individuals have the needed supports and resources that help ensure that they can fully integrate back into their communities and become contributing members of society.

The Toolkit

The following toolkits highlight practices that were uncovered during two years of research and which show “promising practices” for improving outcomes for individuals with sex offenses. The Toolkit comprises two sections, a section for practitioners and a section for registrants. Both sections include promising practices and tips that were collected primarily from the Project Team (a multi-disciplinary group of professionals who work with registrants and two registrants), through research, and from the registrants themselves who were interviewed during the study. The toolkits are not exhaustive and there are undoubtedly many more practices that are yet to be discovered and/or documented. Because of the dearth of information about and for registrants and those who serve them, the tips, exercises, and resources that were provided are but a beginning of a process that must continue, a process through which research is conducted and compiled, practitioners gather to talk about this important service group and how to serve them better, and, throughout it all, registrants are included in the conversations and have an opportunity to share their knowledge, challenges, and needs so that all future strategies for helping them become contributing, self-supporting members of society are informed by them. We hope that these tools provide a catalyst for discussion and a foundation for greater understanding of the unique challenges and opportunities facing individuals with sex offenses.

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BUT FIRST . . .

THE “S” WORD – STIGMA – DEBUNKING THE MYTH

The “Worst of the Worst”

The stigma against persons with sex offenses is real and it runs deep. As one of Friends Outside in Los Angeles County’s (FOLA’s) managers said upon hearing about the project, “When I heard that we were going to serve persons with sex offenses, I immediately went to a dark space, thinking about the ‘worst of the worst’ kind of offenders.”

In a 2016 study by the Justice Policy Journal, Ackerman and Burns, noted that “the vast majority of the public believes that people convicted of sex crimes will inevitably reoffend and this is the premise upon which most related legislation is based. However, this premise is based on false and misleading information contained in numerous published reports.” The report goes on to conclude that “the common view of a person convicted of a sex crime is that of someone who is sick and cannot control his urge to act out sexually.” These ideas continue to perpetuate the misinformation about individuals with sex offenses as sexual predators lacking redemption. However, the facts, based on data, suggest that individuals with sex offenses have some of the lowest recidivism rates amongst person with criminal histories. A study by Sample and Bray indicated that in 2013, individuals with sex offenses had a 6.5% recidivism rate within five years for a sex crime. And several governmental and peer-reviewed studies (Hanson & Bussiere, 1996; 1998; Hanson & Morton-Bourgon, 2004; Przybylski, 2015) have found that the overall sex-crime recidivism is much lower than commonly believed (Ackerman & Burns, 2016).

It is easy to think about persons with sex offenses in the worst possible way. After all, these are the crimes that most often make the six o’clock news or which may be exploited for purposes of plots in T.V. shows and movies. They get people’s attention. It is hard not to have a visceral reaction to the worst of the worst sex crimes such as a sex act against a child or a rape. But, unfortunately, the public is often not informed about the less serious crimes that fall into this category.

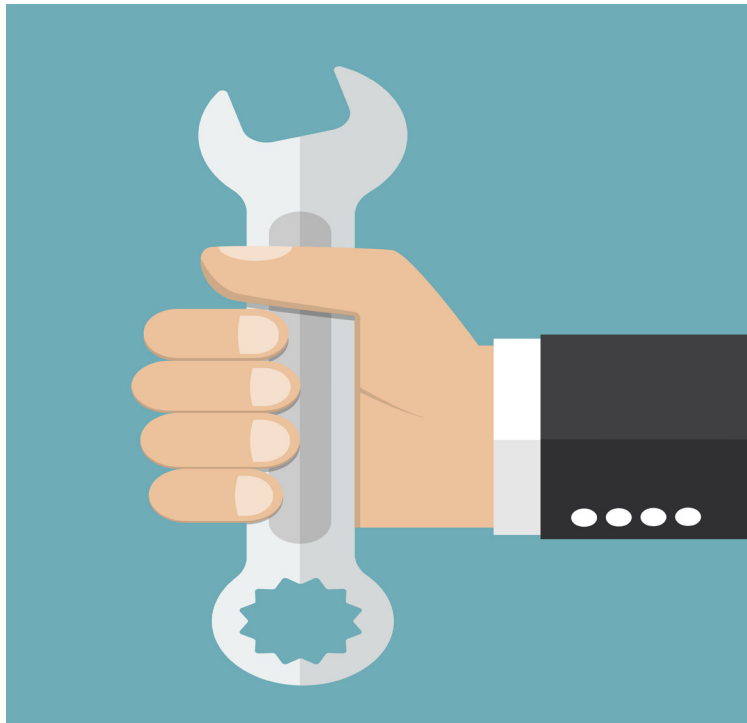
It is important to remember that there is a wide range of offenses under California Penal Code 290. In fact, as of 2010 there are 169 sexual offenses (Appendix A). Many people do not realize that persons with sex crimes include persons convicted of “Romeo and Juliet” laws such as a 19-year-old boy who has a sexual relationship with his 17-year-old girlfriend, the parents find out, he is arrested, and, if convicted, he is a “sex offender.” The internet and social networks have been more conducive to teenagers who, perhaps exploring their own sexuality, transmit an illegal image out on the internet or to peers, and can end up being a “sex offender.” According to the Alliance for Constitutional Sex Offense Laws, there has been a notable increase in these crimes in recent years. Public urination can also land a person in the sex registration system. Think of a person leaving a bar at closing time. Perhaps there is no available restroom and he goes to an alley to urinate. If caught, he could be charged and convicted of a sex offense.

Recidivism Rate

The vast majority of the public believes that people convicted of sex crimes will inevitably reoffend and this is the premise upon which most related legislation is based. However, this premise is based on misleading information contained in numerous published reports and repeated by legislators. For example, the Bureau of Justice Statistics (BJS) report of 1989 is often used by legislators to support harsher supervision on individuals with sex offenses, but “the BJS recidivism rate turns recidivism statistics inside out, making people with the best recidivism rates look the worst, and vice versa” (Ackerman & Burns, 2016). Several studies have shown that recidivism rates for individuals with sex offenses tend to be one of the smallest rates for all felony offenders (Ackerman & Burns, 2016, Justice Policy Journal). Ackerman and Burns (2016) conclude that “[w]hile it remains a widely accepted belief that people who commit sex crimes will inevitably repeat (Fortney, Levenson, Brannon, & Baker, 2007; Mancini & Mears, 2010), the academic literature, for the most part, does not support this claim” The facts suggest that individuals with sex offenses have some of the lowest recidivism rates amongst persons with criminal histories. A study by Sample and Bray indicated that in 2013, individuals with sex offenses had a 6.5% recidivism rate within five years for a sex crime. And several governmental and peer-reviewed studies (Hanson & Bussiere, 1996; 1998; Hanson & Morton-Bourgon, 2004; Przybylski, 2015) have found that the overall sex-crime recidivism is much lower than commonly believed (Ackerman & Burns, 2016). One of the largest studies that followed recently-released prisoners from across 15 states found that the overall recidivism rate was 5.3%, based on an arrest during a 3-year follow up period (Przybylski, 2015). This is compared to the general recidivism rate, which, in California in 2019, was 66% (Bird, Goss, & Nguyen, 2019). Thus, several questionable reports establish a recidivism rate that is distorted and misleading, which continues to perpetuate a stigma that is not based on fact. Ackerman and Burns (2016) go on to state that the “vast majority of research, including the government reports analyzed, provides a strikingly different view of recidivism, but because of definitional problems and misleading representations of data, they allow the opposite impression of what the data actually mean.”

“The vast majority of the public believes that people convicted of sex crimes will inevitably re-offend and this is the premise upon which most related legislation is based. However, this premise is based on misleading information contained in numerous published reports and repeated by legislators...the facts suggest that individuals with sex offenses have some of the lowest recidivism rates amongst persons with criminal histories.”

PRACTITIONERS TOOL KIT



TOOLKIT

TIP #1

Educate Yourself, Your Staff, and Your Peers

It is important that service providers have an opportunity to get accurate information about the people they serve. Program management should arrange for an informed party to provide training for the staff about the facts pertaining to registrants.

How Did We Get Here?

It is also important to be familiar with the primary laws which affect registrants. They are as follows:

- A. California Penal Code 290:** Penal Code 290 PC is the California law that makes it a crime for a sex offender to fail to register with the local authorities. California requires sex offenders to register (1) every year within five working days of their birthday, and (2) every time they move to a new address. A person is a “sex offender” if he or she gets convicted of one of the sex crimes listed in PC 290. (Shouse Law Group, 2021).
- B. California Megan’s Law:** California’s Megan’s Law was enacted in 1996 Penal Code § 290.46. It mandates the California Department of Justice (DOJ) to notify the public about specified registered sex offenders. The California Megan’s Law Website is a searchable tool to obtain information from the registered sex offender database. (Office of the California Attorney General)
- C. California Sex Offender Management Board:** On September 20, 2006, Governor Arnold Schwarzenegger signed Assembly Bill 1015, which created the California Sex Offender Management Board (CASOMB). The vision of the CASOMB is to decrease sexual victimization and increase community safety. (CASOMB.org)

Restrictions

Prior to release from prison, each individual with a sex offense is given a list of their restrictions by the California Department of Corrections and Rehabilitation. Some restrictions which vary by county and may (or may not) be based on their conviction(s). Registrants must follow these restrictions each and every day, or face the possibility of re-incarceration for forgetting, avoiding or violating any of the restrictions of their release. In fact, 86% of recidivism rates for individuals with sex offenses is for technical violations (Ackerman, 2016). “[M]any sex offender parolees have been returned to custody due to having a low battery on their GPS monitoring unit [and those data] are showing up in the recidivism rates. That being said, sex offenders still show one of the lowest rates of recidivism of any other type of offender” (Ackerman, 2016).

Overall, the study found that most registrants were satisfied with the professionalism and respect shown by law enforcement when it came to navigating restrictions and their work obligations. And, in Friends Outside in Los Angeles County’s experience with registrants, most know what their restrictions are when they arrive for services and its program staff usually did not find it not necessary to talk with registrants about their restrictions other than to ensure that any services, job leads, housing, etc., that were provided to them took their restrictions into account.

TOOLKIT

TIP #2

The Power of Language – Promote Humanizing Practices

DiBennardo (2018) wrote, “*Legally, California’s 1996 Sexually Violent Predator Act categorizes and defines ‘sexual predators’ as pathological, repeat, and violent offenders.’ Legal descriptions of criminal sexual acts provide a framework for the public to interpret deviant sexuality: the language they use is imbued with meaning (Jenkins 2004). The use of the term sexual predator sets up a polarizing and extreme image from the very beginning, ‘convey[ing] a medieval image that has never entirely been eliminated from Western images of the frightening, the disgusting, the horrible, the dangerous, and the unbearably, and erotically, fascinating’ (Douard 2008).*”

The term “sex offender” is misunderstood in general society and does not capture the unique circumstance of the 169 sexual offenses that exist in California Penal Code 290 (Appendix A). Using terminology such as this suggests that the person is defined by possibly one moment in time in his/her life. None of us wants to be defined by our worst moments nor by the worst act of one person within a group of persons who are similar to us in one or more ways (e.g., race, ethnicity, gender, religious affiliation or lack thereof, sexuality).

During this study, persons with sex offenses stated that they prefer to be referred to as “registrants” or “290 registrants.” It is suggested that service providers use this term when talking to them and referring to them. Or, just call them by their names.

TOOLKIT

TIP #3

Treat Everyone with Respect and Sincerity. Do Not Judge Them

In its almost 50 years of service, Friends Outside in Los Angeles County has heard over and over again that what makes the organization special to clients is “the way I am treated.” It’s the Golden Rule to “do unto others as you would have them do to you.” Sounds simple, right?

But, we all have our triggers, fears and misperceptions. And, sometimes we may not even know what they are until we are in a situation that brings them to the surface. Always remember – people tend to respond in kind to how they are treated. Be sincere. Be kind. Be respectful. Do not judge. You would be surprised how many doors these basic principles of human interaction will open.

People working in social service fields need to be able to do these things readily. So, what gets in the way?

EXERCISE #1 – Individual or Group Exercise

Ask yourself how you would feel sitting face-to-face with a registrant. What thoughts would go through your mind? What fears might you have? What judgments or assumptions might you make? Now, write your thoughts down.

Reflection

Now spend some time thinking about what you might need to do differently in order to treat registrants like any other client. Do you need more understanding, more training? Practice role plays? Is your office conducive to a feeling of safety? If not, what would make you feel more comfortable?

Next, write down three things that you will take back to your supervisor or work team that would help you.

1) _____

2) _____

3) _____

EXERCISE #2 - Review the organization's policies and procedures with management and your colleagues

Review your organization's policies and procedures as they pertain to serving registrants. Are they conducive to supporting registrants? For example, some organizations arbitrarily deny services to anyone with a sex crime. As stated above, there are over 165 sexual offenses in California, and it is important to treat each case individually. Can you work with all registrants and, if not, what is your reason not to do so? Which types of registrants do you think you cannot work with and what is the reason? Can you modify your space, your policies, how you deliver services in order to be able to serve them?

Office space: Can you serve some registrants but not others because of the location or set-up of your office? Does your organization provide services to youth or are you co-located or planning to be co-located with a youth-serving organization? How does that affect service to registrants? Can you serve registrants by making some changes to the layout of your office? Do you have a partner organization that you can work with? Can you serve registrants remotely or can you serve them by meeting them in a public place?

Think "outside of the box." For example, Friends Outside in Los Angeles County (FOLA) has worked at America's Job Centers of California (AJCC) for a number of years. However, because of an on-site day care center at one AJCC, FOLA could not serve registrants on-site. FOLA connected with the parole administrator from the parole office which just happened to be across the street from the office and he allowed FOLA to serve registrants on-site on designated days/times. What a perfect solution! The alternate site was very nearby and had security on the premises which can make the service provider staff feel safer. But, these solutions are not always so readily available and may require organizations and individuals to think outside the box in order to serve this population.

The forms you use: If you do decide to serve registrants, you may need to modify your intake and assessment forms in order to deliver services.

Establishing rapport: Friends Outside in Los Angeles County's policy is not to ask about a person's criminal history unless it is relevant to the provision of services. Learning about someone's criminal history can inadvertently change the way you treat them or talk with them. In FOLA's experience, many clients are exceedingly perceptive about subtleties of expression. Perhaps it is a survival skill but sending a message to them that you do not trust them or are uncomfortable around them can damage the rapport you need to establish in order to keep them coming back for services.

What you may need to know and when to ask: In FOLA's experience, which includes 43 years working inside Los Angeles County jails and 49 years of experience working with the reentry population, clients will often talk about their criminal histories if you make them feel safe to do so. The vast majority of persons with criminal records, including registrants, legitimately want help when they seek services. They are trying to change their lives. Put yourselves into their shoes. Would you want someone asking you highly personal questions the minute you meet them? Probably not. So, you will likely need to take a little time to build trust before asking deeply personal questions. Also, keep in mind that many persons in reentry have completed a number of forms and have gone through a number of intake processes before they get to you. Ask yourself what can you do to minimize the duplicative and redundant information that is being asked of the clients? Is the information vital for providing services? If not, why ask? And, of course, confidentiality should always be practiced when working with clients.

So, what are the questions that you need to ask in order to provide services to registrants and when is it necessary to you those questions? If the client needs food, it may not be necessary to ask about the restrictions on a client. However, if the client needs employment or housing, it could be necessary to ask some questions because of the specifics of a job or housing arrangement vis-a-vis the restrictions under which the client has to function. And, if it does become necessary to ask, when do you do it? How do the organization's/agency's client forms need to be changed to allow for this kind of questioning?

Next Steps: Now that you have spent some time exploring your feelings and needs and reviewed your organization's policies and procedures, spend some time with your managers and colleagues to think about what you as an organization can do to serve registrants. Do you need more education? Training? To practice role plays? Is your office conducive to a feeling of safety? If not, what would make the staff feel more comfortable?

Next, write down goals and the needed steps you can take as an organization/agency to serve registrants. And, then work with management and your colleagues to make them happen.

Goal #1: _____

Action Steps: _____

Timeline: _____

Responsible Party(ies): _____

Goal #2: _____

Action Steps: _____

Timeline: _____

Responsible Party(ies): _____

Goal #3: _____

Action Steps: _____

Timeline: _____

Responsible Party(ies): _____

Program Managers: Be sure to train the staff on any changes that were made to the organization's policies, forms, and procedures in order to serve registrants. Give the staff an opportunity to be part of the process of reviewing the changes and implementation of the new policies and procedures. Provide opportunities for evaluation and course corrections to the changes that were made. And, be sure to continue to support the staff as they transition to the changes. And, make it a point to analyze changes or policies on a yearly basis and course-correct, if necessary. The California Sex Offender Management Board offers resources and yearly data updates which can help management and staff stay abreast of changes and practices that affect registrants.



Educate registrants when possible

Note: At FOLA, management talks to the staff about the fine line between providing clients with general legal information and crossing a line to a point where you risk misinforming them about highly technical information. Always tell your clients that you are giving them general information, not advice, and that they should talk with an attorney or public legal organization about their individual situations and needs.

Provide flyers and be sure registrants know about laws that can help them such as the Fair Chance Act. The Fair Chance Act (Assembly Bill No. 1008), effective January 1, 2018, added a new section to the Fair Employment and Housing Act (at Government Code § 12952) making it illegal for most employers in California to ask about the criminal record of job applicants before making a job offer. This means that ads, job applications, and interview questions cannot include inquiries into an applicant's criminal record. The purpose of the law is to allow applicants to be evaluated for employment based on their qualifications.

The law generally prohibits employers from:

- Including on a job application any questions about conviction history before a conditional job offer has been made
- Asking about or considering your criminal history before a conditional job offer has been made
- Considering information about arrests not followed by conviction, participation in pre-trial or post-trial diversion programs, or convictions that have been sealed, dismissed, expunged, or statutorily eradicated.
- Including on a job application that a criminal history would disqualify one from employment prior to application
- Failing to make an individualized assessment of the job applicant which considers the nature and gravity of the conduct, the time that has passed since the conviction, and the nature of the job held or sought.
- Failing to explain the job applicant's right to submit evidence challenging the conviction history report, mitigating circumstances, or circumstances regarding the applicant's rehabilitation.
- Failing to notify the applicant in writing of his/her right to file a complaint with the Department of Fair Employment and Housing (DFEH).

After making a job offer, employers are allowed to conduct a criminal history check. But under the law, employers cannot take back a job offer based on an applicant's criminal history without going through a process that includes:

- Making an individualized assessment that justifies denying the applicant the position.
- Notifying the applicant in writing of a preliminary decision to rescind the offer.
- Giving the applicant a chance to provide additional information, and
- Notifying the applicant in writing of a final decision to rescind the offer and informing the applicant of the right to complain to DFEH.

More resources:

Video on Fair Chance Hiring: <https://www.youtube.com/watch?v=zOn05MR8Yh4&feature=youtu.be>

Application of the law locally

- Los Angeles City Fair Chance Initiative for Hiring Ordinance: <https://bca.lacity.org/fair-chance>
- Los Angeles County Fair Chance Act: <https://fairchance.lacounty.gov/>



Partner with no-cost mental health providers

According to the Reentry Health Policy Project (2018), “justice -involved populations tend to experience high rates of physical and mental health problems within complicated social contexts, including long term unemployment, chronic system dependence, weak social ties, and residence in economically depressed areas.”

Registrants who are released from incarceration have several conditions to their release and some of those restrictions revolve around community supervision. Community supervision can be coordinated through state parole agencies or county probation departments depending upon the registrant’s conviction and conditions of release. Registrants who are under the supervision of state parole have access to paid mental health treatment services. That treatment is mandatory and can last several years. There are two contracted providers of mental health treatment in Los Angeles County. According to registrants who participated in FOLA’s study, treatment curriculum is five weeks long and every five weeks the same curriculum repeats until the participant is no longer required to be in the treatment program. The registrant may have to repeat the same curriculum for multiple years.

Registrants under LA County Probation supervision do not have access to paid or mandatory mental health services. However, several registrants in this study expressed the need for mental health services as they undergo reentry and tackle obstacles faced by their time in prison, the trauma of that experience, and the personal rehabilitation they are experiencing as 290 registrants. These complex social experiences are difficult to undergo alone, and many registrants would benefit by accessing mental health services.

It is important to identify general health services, as well as more specialized mental health services, for 290 registrants who are under the supervision of county probation and/or those who have completed parole or county probation but who lack mental health supports.

Steps you can help registrants take:

1. Establish eligibility and enroll into MediCal
2. Establish relationships with local mental health providers
3. Refer Registrants to available resources such as the following (Los Angeles County):
 - a. County Department of Mental Health: <https://dmh.lacounty.gov/our-services/>
 - b. <https://www.211la.org/resources/service/talklineswarmlines-42>
 - c. Therapy for Latinx: <https://therapyforlatinx.com>
 - d. Watts Counseling and Learning Center: <https://community.kp.org/be-informed/program/watts-counseling-and-learning-center>
 - e. TLA Therapy: <https://www.tlatherapy.com>
 - f. Telehealth (USC Suzanne Dworak-Peck School of Social Work): <https://dworakpeck.usc.edu/telehealth>
 - g. Didi Hirsch Mental Health Services: www.didihirsch.org

TOOLKIT**TIP #6**

Partner-up! for Employment

It has often been said that “None of us can do this work alone.” There is no shame in not being able to do everything for everybody. Whether you are an America’s Job Center of California (AJCC) or a reentry services specialist, there can be value in partnering-up with an organization or agency that provides services that you do not provide or for populations that are outside of your area of specialty. AJCC’s have great expertise and, in many cases, more resources than reentry services specialist have. But, reentry services specialists often have qualities that not all AJCC’s have.

In FOLA’s experience, the reentry population is often more comfortable asking for services from community-based organizations they might know through their experience in prison or jail or to whom they are referred by people they trust, such as other reentering individuals. Such organizations often provide the expertise and individualized, highly supportive approach to services to which registrants and other members of the reentry community often respond very favorably.

These kinds of organizations are often nonprofits whose mission it is to serve the reentry population. Their passion comes through in what they do and reentry clients, who often mistrust institutions and government agencies, tend to know and trust them. These qualities can mean that reentry job-seekers are familiar with and trust these organizations, qualities which can assist with recruiting and maintaining reentry clients for other less-specialized programs.

Registrants: Due to lengths of incarceration, many 290 registrants have been removed from the workforce and may lack the necessary soft and technical skills that are needed for the current job market. This may put them at an additional disadvantage (beyond the stigma) when job-seeking. A best practice identified to better support the successful reentry of 290 registrants is the use of “Earn and Learn,” models such as paid work experience, on-the-job training or apprenticeships which can provide immediate income and skills to support registrant’s reentry into the workforce.

Here are a few resources for your consideration and education:

1. Earn and Learn Models: https://ewddlacity.com/images/directives/wds-bulletin/WDS_Bul_20-07_Apprenticeship-Manual.pdf
 - a. LA:RISE: <https://redf.org/what-we-do/larise/>
2. On-the-job training and paid work experience opportunities may be provided by local America’s Job Centers of California (AJCC). Reentry services specialists can possibly partner with an AJCC and co-enroll registrants into their centers. The win-win is that in doing so registrants are getting access to needed resources and you are helping the AJCC’s meet their required service goals and outcomes.

Service providers in Los Angeles County can find a list of AJCC’s as follows:

- a. Los Angeles City Area: <https://www.wibllacity.org/index.php/about-the-wdb>
- b. Los Angeles County Area: <https://workforce.lacounty.gov/virtual-services/>
- c. South Bay area: <https://www.pacific-gateway.org/>

Service providers in other counties in California can do a Google-type search to find the AJCC’s in their service areas.

FRIENDS OUTSIDE IN LOS ANGELES COUNTY'S (FOLA'S) PILOT PROJECT

Because of the dearth of research about Registrants including about their experiences with job-seeking and employment, other than anecdotal, Friends Outside in Los Angeles County included as part of the “Improving Employment Outcomes for Persons with Sex Offenders” program design, a pilot project through which FOLA would serve, track, and report out on six job-seeking registrants. These individuals would be co-enrolled into FOLA’s Project impACT, South LA, which is funded by the City of Los Angeles, Mayor’s Office. The goal of Project impACT is to assist the reentry population with employment.

At the end of the six-month Pilot Project period, FOLA’s team accomplished the following outcomes:

- Four of six (67%) of clients obtained employment
 - 1 attained employment in a Media Production company at \$35/hr.
 - 1 attained employment Homeless Assistance Program at \$16/hr.
 - 2 attained employment as a Food Production Worker at \$16/hr.

On completion of the Pilot Project, Executive Director of FOLA, Mary Weaver, and Lead Researcher, Luis Barrera Castañón, Ed.D., conducted an interview with Project impACT South LA staff which provided employment services to the Registrants. The staff included the following: Arthur Smiley, Project Director, James Agnew, Peer Navigator, and Michael Tompkins, Job Specialist.

The staff’s input offered insights into their attitudes towards registrants and the “secret sauce” that led to the impressive employment success they had with their clients.

Q. *What were your experiences serving registrants? Did you have any preconceptions of what they would be like?*

James: I was educated about the population during substance abuse classes I took when I was going for a certification in the field. I quickly learned that I could not go into this field with preconceptions. Before I started with FOLA, I had gotten to know some registrants through prior work. An early lesson was about the power of the stigma. Some reported being stigmatized even by other inmates. They felt like they were still suffering after their release as a result of perhaps one “foolish” thing they did, often fueled by drugs/alcohol. Many were “victimless” crimes. Finding housing and employment is much harder for them in general than it is for my other reentry clients.

They were some of my best clients. They were on time, followed the program’s rules and regulations, and completed their tasks as requested.

Arthur: Initially, I went to a “dark place,” thinking of the worst of the worst in terms of the type of crimes they might have committed and then I tended to think of all of them in that way.

The recent Summit that FOLA sponsored helped me to better understand them. For example, I learned about people who were convicted of “Romeo and Juliet” laws. Those are laws that can affect young lovers where perhaps a 19-year-old young man is involved with a 17-year-old girl. Something goes wrong, perhaps a parent finds out about the relationship, gets mad, and reports it to the police. Yes, the young man was technically wrong, but it feels like a different kind of “crime” to me than a 40-year-old male who is involved with a 17-year-old girl.

Q. *How were the registrants' needs similar to and how were they different from serving other clients?*

Michael: I did not find their needs to be different from those of my other clients. I just focused on their employment needs. I did not talk with them much about their restrictions. In my experience, the registrants know the rules under which they have to live and will speak up if there is a problem.

Q. *Your success with the registrants was very impressive. What did you do that promoted their success? What was your "secret sauce?"*

Michael: I have an initial call with the employers to introduce the clients, mentioning that they have done time but not the nature of it.

I share my personal experienced having a background which seems to really impress the registrants even more than other reentry clients. I ask them what they did in the prison for employment and try to build on that in terms of helping them create a job-seeking and career plan. I help them create resumes based on their skill sets and I conduct mock interviews with them based on their resumes.

Q. *Did the registrants say anything about the assistance they received from you – what mattered to them?*

James: We help them do what they need to survive, whether it's learning to text, how to get an identification card, or something else. It is one way to "meet the client where they are."

Michael: One registrant was 17 when he was arrested. He did 30 years in prison. He called me one day, crying, saying it is his first paycheck and that he did not know what to do with it. He had never received a paycheck before.

Other comments the staff heard from the Registrants were as follows:

- "The workshops were highly appreciated. I have never been involved in a program that was designed just for people like me. I had never heard of that before."
- "I am so grateful. No one has ever given me the kind of help that I got from Friends Outside in Los Angeles County."
- "If it wasn't for the program, I would probably be dead (suicide). I was hopeless and discouraged. You guys saved me."

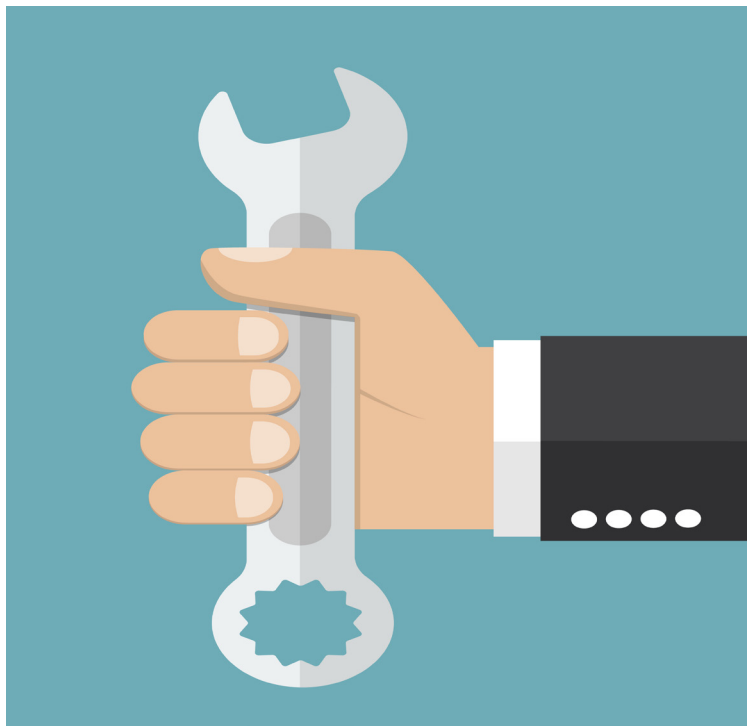
Q. *What would you say to others who will serve registrants? What can they do to promote success with them?*

Michael: Be open-minded. Don't pre-judge. Establish a relationship with the client. They will shut down if they think you are judging you. Honest interaction is highly valued. You have to treat everyone the same way – regardless of skin color, gender, disability, and type of conviction.

I sometimes called their parole agents/probation officers to advocate for them such as the time I was working with an elderly client who had been forbidden to go to a day care center for seniors because a school was nearby. I was able to get approval for her from her parole agent to be able to go there. It might require a little more effort to serve registrants, but it is worth it!

James: We give them help with what they need. Follow through with them. We don't drop the ball. We are here for them. They know they can contact me anytime. Having a rapport with them is important. They need to know they can trust you. Never ask about their criminal record unless they want to talk about it.

REGISTRANTS' TOOL KIT



TOOLKIT**TIP #1**

Be informed

In California, several new laws and practices have been implemented to help support the successful reentry of justice-involved populations. These new laws are being implemented and it is important for registrants to be knowledgeable about them in order to secure needed services and support. A good source of information is the Alliance for Constitutional Sexual Offense Laws (<https://all4consolaws.org/>).

TOOLKIT**TIP #2**

Do not disclose a criminal conviction or arrest during the job application process, instead focus on your qualifications

The Fair Chance Act (Assembly Bill No. 1008), effective January 1, 2018, added a new section to the Fair Employment and Housing Act (at Government Code § 12952) making it illegal for most employers in California to ask about the criminal record of job applicants before making a job offer. This means ads, job applications, and interview questions cannot include inquiries into an applicant's criminal record. The purpose of the law is to allow applicants to be evaluated for the position based on their qualifications.

The law generally prohibits employers from:

- Including on a job application any questions about conviction history before a conditional job offer has been made.
- Asking about or considering your criminal history before a conditional job offer has been made.
- Considering information about arrests not followed by conviction, participation in pre-trial or post-trial diversion programs, or convictions that have been sealed, dismissed, expunged, or statutorily eradicated.
- Including on a job application that a criminal history would disqualify one from employment prior to application.
- Failing to make an individualized assessment of the job applicant which considers the nature and gravity of the conduct, the time that has passed since the conviction, and the nature of the job held or sought.
- Failing to explain the job applicant's right to submit evidence challenging the conviction history report, mitigating circumstances, or circumstances regarding the applicant's rehabilitation.
- Failing to notify the applicant in writing of his/her right to file a complaint with the Department of Fair Employment and Housing (DFEH).

After making a job offer, employers are allowed to conduct a criminal history check. But under the law, employers cannot take back a job offer based on an applicant's criminal history without going through a process that includes:

- Making an individualized assessment that justifies the denying the applicant the position.
- Notifying the applicant in writing of a preliminary decision to rescind the offer.
- Giving the applicant a chance to provide additional information. And,
- Notifying the applicant in writing of a final decision to take back the offer and informing the applicant of the right to complain to the DFEH.

Other resources

Video on Fair Chance Hiring: <https://www.youtube.com/watch?v=zOn05MR8Yh4&feature=youtu.be>

Application of the law locally

Los Angeles City Fair Chance Initiative for Hiring Ordinance: <https://bca.lacity.org/fair-chance>

Los Angeles County Fair Chance Act: <https://fairchance.lacounty.gov/>



Join a support group and expand your social network

Reentry and rehabilitation can be a long process for anyone. However, this process can be especially challenging for 290 registrants. As noted earlier, the societal stigma associated with being a registrant adds additional barriers to successful reentry. Additionally and as you know, registrants have restrictions as to the types of social networks you can build, sometimes for the rest of your lives, and thus reentry can be especially challenging for you.

One of the best practices identified by 290 Registrants is to participate in social networks which provide an opportunity to talk through challenges, serve as a safe place where you will not feel judged, and to learn about resources and changes to the laws that can affect you. In some cases, you can get involved with organizations and advocates for changes in the system. Below is a list of organizations that support and advocate for registrants.

1. Alliance for Constitutional Sex Offender Law: <https://all4consolaws.org/>
2. Emotional Support Calls: email emotionalsupportgroup@all4consolaws.org for call-in information in Los Angeles and Sacramento
3. Friends Outside Los Angeles County: <https://www.friendsoutsidela.org/>
4. Families of Sex Offenders Community Group: <https://www.dailystrength.org/group/families-of-sex-offenders>
5. Women Against Registry: <https://www1.womenagainstry.org/>
6. Sex Offender Solutions & Education Network: <https://sosen.org/>
7. Get Free and Stay Free: <https://getfreeandstayfree.com/about-us/>



Address underlying and continuing trauma through no-cost mental health services

According to the Reentry Health Policy Project (2018), “justice-involved populations tend to experience high rates of physical and mental health problems within complicated social contexts, including long term unemployment, chronic system dependence, weak social ties, and residence in economically depressed areas.” You might find that you will feel better by accessing mental health services.

Steps you can take:

1. Apply for MediCal
 - a. <https://www.dhcs.ca.gov/services/medi-cal/Pages/ApplyforMedi-Cal.aspx>
2. Establish relationships with local mental health providers
 - a. County Department of Mental Health: <https://dmh.lacounty.gov/our-services/>
<https://www.211la.org/resources/service/talklineswarmlines-42>
 - b. Therapy for Latinx: <https://therapyforlatinx.com>
 - c. Watts Counseling and Learning Center: <https://community.kp.org/be-informed/program/watts-counseling-and-learning-center>
 - d. TLA Therapy: <https://www.tlatherapy.com>
 - e. Telehealth (USC Suzanne Dworak-Peck School of Social Work): <https://dworakpeck.usc.edu/telehealth>
 - f. Didi Hirsch Mental Health Services: www.didihirsch.org



Understand the job market and learn about occupations which have the least barriers to employment

Finding employment can be one of the hardest tasks for 290 registrants. However, there are several industries and employers that have hired and continue to hire justice-involved individuals, including registrants. Below is a list compiled from online resources as well as interviews from Los Angeles County. 290 registrants should be aware of their restrictions prior to applying and discuss with their Case Manager as appropriate and needed.

Here are some general tips:

- Check out a reentry employment specialist in your area. Friends Outside in Los Angeles County has multiple programs across Los Angeles and there are many other good programs as well. If you do not live in Los Angeles County, you can contact your local AJCC or do a Google-like search for reentry service providers. Here is a link: <https://www.careeronestop.org/LocalHelp/AmericanJobCenters/find-american-job-centers.aspx>
- In the meantime, you can be doing a little homework. First, what are you interested in? If you don't have a current profession or trade, you can check out the following website: <https://www.mynextmove.org/> to get an idea of what you like to do by browsing the different industries. Although there are industries that have certain restrictions, there are also new industries such as technology and entrepreneurship that are more open to individuals with sex offenses.
- If you plan to apply for employment directly with companies, take a look at the list below of industries and sectors that may be more likely to hire "second-chance" job-seekers, such as the following:

Logistics/Warehouse	Construction (Commercial)	Transportation/Trucking
Building trades (Commercial)	Non-profits	Animal shelters
Entrepreneurship	Automotive services	Art and Film
Manufacturing		

And, don't forget the nonprofit sector. They can be more understanding and eager to hire reentry job-seekers than some other industries. Another idea is to offer to volunteer at a nonprofit if you can take the time to do so. It is never guaranteed but sometimes volunteer efforts can result in an offer of employment.

Entrepreneurship

Entrepreneurs are individuals who create new businesses. In FOLA's experience, a number of registrants are attracted to self-employment because of the stigma they can face when seeking employment or their discomfort being around the general public.

In order to become an entrepreneur, the publication Business News Daily provided some initial steps you can follow:

1. Form and refine your idea. Does the business you wish to create solve a need in the marketplace?
What is the problem or gap you are trying to solve?
2. Think about who your customer will be and why they would want to buy your product or use your service.
3. Write a business plan. This includes thinking about answers to the following questions:
4. What is the purpose of the business?
5. Who are you selling to?
6. What is your goal?
7. How will you finance your company to get it off the ground? Will you have investors, or will you fund through crowdsourcing?

Community colleges sometimes offer classes in entrepreneurship which can be an inexpensive way to become educated about this kind of undertaking.

TOOLKIT**TIP #6**

Take ownership of your criminal offense and understand upcoming tier system changes

All of the 290 Registrant interviewed for this study understood their conviction and took ownership for their past mistakes. This acknowledgement provided the registrant with peace of mind and hope about moving forward in their life. They understood that there would be challenges and accepted that the path ahead and were willing to face it.

TOOLKIT**TIP #7**

Changes in California's Registry System

As a best practice, 290 Registrants should become aware of the upcoming changes to California's new tier system that was signed into law October 7, 2021, and which started on January 1, 2021. Registrants should determine what tier they fall under and begin to understand the petition process.

On October 7, 2017, with the signing into law of **California Senate Bill (SB) 384 a three-tiered** (Appendix C) sex registration system was created. The new law, commencing January 1, 2021, establishes 3 tiers of registration based on specified criteria, for periods of at least 10 years, at least 20 years, and life registry. The law requires the registrant to file a petition at the expiration of his or her minimum registration period and authorizes the district attorney to request a hearing on the petition. The new law revises the criteria for exclusion from the Internet Web site in the following ways:

1. A tier one sexual offense is subject to registration for a minimum of 10 years. A person is a tier one registrant if the person is required to register for conviction of a misdemeanor or of a felony that was not serious or violent.
2. A tier two sexual offense is subject to registration for a minimum of 20 years. A person is a tier two registrant if the person was convicted of a mid-level sexual offense in subdivision (c) of Section 667.5 or subdivision (c) of Section 1192.7, Section 285, subdivision (g) or (h) of Section 286, subdivision (g) or (h) of Section 288a, subdivision (b) of Section 289, or Section 647.6 if it is a second or subsequent conviction for that offense that was brought and tried separately.
3. A tier three offender is subject to registration for life. A person is a tier three registrant if the person convicted of high-level sexual offense including rape (in most cases), lewdness with a minor by force or fear, sex trafficking children, sex crimes against children 10 and younger, and repeated sex crimes.

If you are eligible for removal from the state's 290 registry, consider filing your application for removal. Although this process is new to California, there are law firms and lawyers that can help with this process. A good resource is the Los Angeles Legal Aid Foundation (<https://lafla.org/>) or similar legal organizations that provide no-cost or low-cost services in the community.

TOOLKIT**TIP #8**

Create a Personal Self-Assessment Tool and Action Plan

Creating a plan with clear next steps on reentry can go a long way in improving your successful reentry. The Self-assessment Tool below can help you identify your desires and goals as well as strategies and activities you can undertake to pursue them. Remember, this is just for you. You can share it with others (or not).

PERSONAL SELF-ASSESSMENT TOOL

Date: _____

MY STRENGTHS:

- 1) _____

- 2) _____

- 3) _____

- 4) _____

WHAT I WOULD LIKE TO IMPROVE IN MY LIFE; CHALLENGES I NEED TO ADDRESS

- 1) _____

- 2) _____

- 3) _____

- 4) _____

WHAT I LIKE ABOUT MY LIFE:

- 1) _____

- 2) _____

- 3) _____

- 4) _____

WHAT I STILL WANT IN MY LIFE:

- 1) _____

- 2) _____

- 3) _____

- 4) _____

ACTION PLAN FOR OBTAINING THE ITEMS I WANT IN MY LIFE:

- 1) _____

- 2) _____

- 3) _____

- 4) _____

TIMELINES FOR ACHIEVING MY GOALS – WHEN I'D LIKE TO SEE THE RESULTS OF MY ACTION PLAN

- 1) _____

- 2) _____

- 3) _____

- 4) _____

WHO IS IN MY CIRCLE OF SUPPORT AND WILL HELP ME?

- 1) _____

- 2) _____

- 3) _____

- 4) _____

FINAL THOUGHTS - REMEMBER!

- This is your life. You make the plans; you make the decisions; and you are responsible for what happens or what has happened.
- Trusting others is difficult, but important. But select those you trust carefully.
- Words are important. Changing your language can change your thoughts which can then change your actions.
- Unaddressed trauma can limit your goals. It is important to identify your trauma and possibly get professional support to understand your trauma and start your path to healing.
- Attitude is the thermostat of life! Your attitude is the way you think and the way you feel. You control that. Other people can affect your attitude, but you make the decision about how you feel and what you think, which can affect your actions.
- Celebrate waking up each day. If today was a good day, celebrate that. If it wasn't a great day, that's ok too. We all have good and not-so-good days. Celebrate the smaller wins, no matter how small.
- Time is on your side. A flower doesn't grow out of the concrete in one day. Change takes time. There will be many bumps on the road to success but keep going. You will start to notice the changes you are making and others will too!
- Be kind to yourself and patient with yourself.

WE WOULD LOVE TO HEAR FROM YOU!

If you have tips that work for you that you are willing to share with us, please let us know so we can update the Toolkit for others. You can send your tips to info@friendsoutsidela.org. We will not publish your name.

IN APPRECIATION

Again, thank you to all of the organizations that partnered through our Project Team. The Project Team consisted of professionals in law, law enforcement, social services, housing providers, workforce development practitioners and registrants. The time you each took to learn about this topic, the input that was provided and your willingness to help improve outcomes for individuals with sex offenses cannot be understated. We thank you. Our communities thank you.

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Interviewees

A special thank you to all of our interviewees whose valuable experience has shed light into the unique challenges and opportunities that exist within the registrant population. Interview names are anonymous to protect participant confidentiality.

Funder

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APPENDICES

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Appendix A

List of Registerable Offenses

Below is a list of registerable offenses as of 2010. An important observation about the 290 Registration population is that their data is elusive and difficult to get. Thus, the list below is a snapshot in time and new 290 registrable laws might exist since the list below was published.

	California Penal Code	Registerable Sexual Offense
1	187	MURDER DURING PERPETRATION/ATTEMPT RAPE,286,288,288A,289 207 KIDNAPPING TO COMMIT 261, 286, 288, 288a, 289
2	207(B)	KIDNAP CHILD UNDER 14 YEARS TO COMMIT LEWD OR LASCIVIOUS
3	208(D)	KIDNAPPING PERSON WITH INTENT TO COMMIT RAPE (PRIOR CODE): KIDNAPPING VICTIM UNDER 14 WITH THE INTENT TO VIOLATE SECTIONS 261, 286, 288, 288a, OR 289.
4	209	KIDNAPPING FOR RANSOM TO COMMIT 261, 286, 288, 288a, 289
5	220	ASSAULT TO COMMIT RAPE, SODOMY, OR ORAL COPULATION OR TO VIOLATE SECTIONS 264.1, 288 OR 289.
6	220(a)	ASSAULT W/INTENT TO COMMIT RAPE, SODOMY, OR ORAL COPULATION
7	220(b)	ASSAULT W/INTENT TO COMMIT RAPE/ETC DURING A BURGLARY
8	220/261	ASSAULT TO COMMIT RAPE
9	220/261(2)	ASSAULT TO COMMIT RAPE BY FORCE OR FEAR
10	220/664.1	ASSAULT TO RAPE IN CONCERT WITH FORCE OR VIOLENCE
11	243.4	SEXUAL BATTERY
12	243.4(A)	SEXUAL BATTERY
13	243.4(B)	SEXUAL BATTERY ON MEDICALLY INSTITUTIONALIZED PERSON
14	243.4(C)PC (PRIOR CODE)	SEXUAL BATTERY INVOLVING RESTRAINED PERSON
15	243.4(C)	SEXUAL BATTERY VICTIM UNAWARE-FRAUDULENT MISREPRESENTATION.
16	243.4(D)	SEXUAL BATTERY INVOLVING RESTRAINED PERSON
17		
18	243.4(D)(1) (PRIOR CODE)	TOUCH PERSON INTIMATELY AGAINST WILL FOR SEXUAL AROUSAL/ETC
19	261	RAPE: NOT SPECIFIED
20	261(1)	RAPE: VICTIM INCAPABLE OF GIVING CONSENT
21	261(2)	RAPE BY FORCE OR FEAR
22	261 (2)/264.1	RAPE IN CONCERT BY FORCE
23	261(3)	RAPE OF DRUGGED VICTIM
24	261(4)	RAPE: VICTIM UNCONSCIOUS OF THE NATURE OF THE ACT

25	261(6)	RAPE BY THREAT OF RETALIATION
26	261(A)(2)	RAPE BY FORCE OR FEAR
27	261(A)(3)	RAPE OF DRUGGED VICTIM
28	261(A)(4)	RAPE: VICTIM UNCONSCIOUS OF THE NATURE OF THE ACT
29	261(A)(6)	RAPE BY THREAT OF RETALIATION
30	261.2 (PRIOR CODE)	RAPE BY FORCE OR FEAR
31	261.2/261.3 (PRIOR CODE)	RAPE WITH FORCE AND OR THREAT
32	261.3 (PRIOR CODE)	RAPE BY FORCE OR VICTIM INTOXICATED.
33	261.4 (PRIOR CODE)	RAPE BY THREAT OR RAPE OF A DRUGGED VICTIM.
34	262(A)(1)	RAPE SPOUSE BY FORCE OR FEAR (FELONY CONVICTION)
35	264.1	RAPE IN CONCERT WITH FORCE OR VIOLENCE
36	266	ENTICE MINOR FEMALE FOR PROSTITUTION
37	266C	INDUCE INTERCOURSE OR SEX ACTS BY FALSE REPRESENTATION WITH INTENT TO CREATE FEAR
38	266I(B)	PANDERING WHERE PROSTITUTE IS UNDER 16
39	266J	PROCUREMENT OF UNDER 16 FOR LEWD AND LASCIVIOUS ACTS
40	267	ABDUCT MINOR FOR PROSTITUTION
41	269(A)(1)	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 TO VIOLATE PC 261(a)(2)
42	272	CONTRIBUTING TO THE DELINQUENCY OF A MINOR (LEWD OR LASCIVIOUS BEHAVIOR)
43	285	INCEST
44	286	SODOMY
45	286(A)	SODOMY; GENERAL CATEGORY AND PUNISHMENT SECTION
46	286(B)(1)	SODOMY WITH PERSON UNDER 18 YEARS
47	286(B)(2)	SODOMY WITH PERSON UNDER 16 YEARS
48	286(C)	SODOMY WITH PERSON UNDER 14 YEARS OR WITH FORCE
49	286(D)	SODOMY IN CONCERT WITH FORCE
50	286(E)	SODOMY WHILE CONFINED IN PRISON OR JAIL
51	286(F)	SODOMY: VICTIM UNCONSCIOUS OF THE NATURE OF THE ACT
52	286(G)	SODOMY: VICTIM INCAPABLE OF GIVING CONSENT
53	286(H)	SODOMY: WITHOUT CONSENT OF VICTIM AND DEFENDANT IN MENTAL FACILITY
54	286(I)	SODOMY WITHOUT CONSENT: DRUGGED VICTIM AND DEFENDANT IN MENTAL FACILITY VICTIM INTOXICATED.
55	286(K)	SODOMY BY THREAT OF AUTHORITY TO ARREST OR DEPORT
56	288	LEWD OR LASCIVIOUS CRIMES AGAINST CHILDREN UNDER 14 YEARS
57	288(A)	LEWD OR LASCIVIOUS ACTS WITH CHILD UNDER 14 YEARS

58	288(B)	LEWD OR LASCIVIOUS ACTS WITH CHILD UNDER 14 YEARS WITH FORCE
59	288(C)	LEWD OR LASCIVIOUS ACTS WITH CHILD 14 OR 15 YEARS OLD
60	288A	ORAL COPULATION
61	288A(A)	ORAL COPULATION
62	288A(B)(1)	ORAL COPULATION WITH PERSON UNDER 18 YEARS
63	288A(B)(2)	ORAL COPULATION WITH PERSON UNDER 16 YEARS
64	288A(C)	ORAL COPULATION WITH PERSON UNDER 14 OR BY FORCE
65	288A(D)	ORAL COPULATION IN CONCERT WITH FORCE OR FEAR.
66	288A(D)(1) (PRIOR CODE)	ORAL COPULATION IN CONCERT WITH FORCE OR FEAR
67	288A(D)(2)	ORAL COPULATION IN CONCERT BY THREAT OF RETALIATION
68	288A(E)	ORAL COPULATION WHILE CONFINED IN PRISON OR JAIL
69	288A(F)	ORAL COPULATION: VICTIM UNCONSCIOUS OF THE NATURE OF ACT
70	288A(G)	ORAL COPULATION: VICTIM INCAPABLE OF GIVING CONSENT
71	288A(H)	ORAL COPULATION: WITHOUT CONSENT: VICTIM AND DEFENDANT IN STATE HOSPITAL
72	288A(I)	ORAL COPULATION: VICTIM INTOXICATED
73	288A(K)	ORAL COPULATION BY THREAT OF AUTHORITY TO ARREST OR DEPORT
74	288.3	CONTACTING MINOR W/INTENT TO COMMIT SEX OFFENSE
75	288.3(a)	CONTACTING MINOR W/INTENT TO COMMIT SEX OFFENSE
76	288.5	CONTINUOUS SEXUAL ABUSE OF CHILD
77	288.5(A)	CONTINUOUS SEXUAL ABUSE OF CHILD
78	288.7(a)	SODOMY W/CHILD UNDER 10 YEARS OLD
79	288.7(b)	ORAL COPULATION W/CHILD UNDER 10 YEARS OLD
80	289	SEXUAL PENETRATION BY FOREIGN OBJECT
81	289(A) (PRIOR CODE)	SEXUAL PENETRATION WITH FOREIGN OBJECT WITH FORCE
82	289(B)	SEXUAL PENETRATION WITH FOREIGN OBJECT: VICTIM INCAPABLE OF CONSENT
83	289(C)	SEXUAL PENETRATION WITH FOREIGN OBJECT: NO CONSENT: VICTIM AND DEFENDANT IN MENTAL INSTITUTION
84	289(D)	SEXUAL PENETRATION WITH FOREIGN OBJECT: VICTIM UNAWARE OF NATURE OF ACT
85	289(E)	SEX PENETRATION WITH FOREIGN OBJECT: VICTIM DRUGGED
86	289(F)	SEXUAL PENETRATION WITH FOREIGN OBJECT: VICTIM BELIEVES IT'S SPOUSE
87	289(G)	SEXUAL PENETRATION WITH FOREIGN OBJECT: AUTHORITY THREAT ARREST
88	289(H)	SEXUAL PENETRATION WITH FOREIGN OBJECT: VICTIM UNDER 18 YEARS
89	289(I)	SEXUAL PENETRATION WITH FOREIGN OBJECT: VICTIM UNDER 16 YEARS

90	289(J)	SEXUAL PENETRATION WITH FOREIGN OBJECT: VICTIM UNDER 14 YEARS
91	290	SEX OFFENDER REGISTRATION STATUTE
92	311.1	(PRIOR CODE) INDECENT EXPOSURE
93	311.1(A)	ADVERTISE OBSCENE MATTER DEPICTING MINOR.
94	311.10	(PRIOR CODE) ADVERTISE OBSCENE MATTER DEPICTING MINOR
95	311.11	POSSESS OBSCENE MATTER DEPICTING CHILD UNDER 14
96	311.11(A)	POSSESS OBSCENE MATTER OF MINOR IN SEXUAL ACT
97	311.11(b)	POSSESS/ETC OBSCENE MATTER OF MINOR IN SEXUAL ACT/AT-TEMPT
98	311.11(B)	POSSESS MATTER DEPICTING MINOR IN SEXUAL ACT WITH PRIOR CONVICTION
99	311.2(B)	DISTRIBUTE OBSCENE MATTER DEPICTING MINOR FOR COMMERCIAL CONSIDERATION
100	311.2(C)	POSSESS OR DISTRIBUTE OBSCENE MATERIAL DEPICTING MINOR (MISDEMEANOR) MATTER OF MINOR TO MINOR WITH PRIOR CONVICTION
101	311.2(D)	DISTRIBUTE OBSCENE MATTER OF MINOR TO MINOR
102	311.3	(PRIOR CODE) SEXUAL EXPLOITATION OF A CHILD.
103	311.3(A)	DEPICT SEXUAL CONDUCT OF MINOR
104	311.4	EMPLOYMENT OR USE OF MINOR TO PERFORM PROHIBITED ACTS
105	311.4(A)	EMPLOYMENT OR USE OF MINOR TO PERFORM PROHIBITED ACTS.
106	311.4(B)	EMPLOYMENT OR USE OF MINOR TO PERFORM PROHIBITED ACTS FOR COMMERCIAL PURPOSES.
107	311.4(C)	USE UNDERAGE PERSON FOR OBSCENE MATTER
108	314.1	INDECENT EXPOSURE
109	314.2	ASSIST ACT OF INDECENT EXPOSURE
110	647A	ANNOY OR MOLEST CHILDREN
111	647A(1)	ANNOY OR MOLEST CHILDREN
112	647.6	ANNOY OR MOLEST CHILDREN CHILD UNDER 18.
113	647.6(A)	ANNOY OR MOLEST CHILDREN CHILD UNDER 18.
114	647.6(C)(2)	ANNOY OR MOLEST CHILDREN CHILD UNDER 18
115	653F(C)	SOLICITS ANOTHER TO COMMIT 261,286,288a SOLICITING COMMISSION OF 264.1, 288, OR 289 BY FORCE OR VIOLENCE
116	702 WIC	(OLD PRIOR CODE) CONTRIBUTE TO DELINQUENCY MINOR (LEWD OR LASCIVIOUS FINDING)
117	5512	MENTALLY DISORDERED SEX OFFENDER COMMITMENT UP TO 90 DAYS
118	6316	COMMITMENT (90 DAYS) AS A MENTALLY DISORDERED SEX OFFENDER
119	286(C)(1)	SODOMY WITH PERSON UNDER 14 YEARS
120	261(A)(1)	RAPE: VICTIM INCAPABLE OF GIVING CONSENT
121	288(B)(1)	LEWD OR LASCIVIOUS ACTS WITH CHILD UNDER 14 YEARS WITH FORCE

122	288(B)(2)	CARETAKER, SEXUAL ACT ON DEPENDENT ADULT WITH FORCE
123	288(C)(1)	LEWD OR LASCIVIOUS ACTS WITH CHILD 14 OR 15 YEARS OLD
124	288(C)(2)	"CARETAKER, LEWD AND LASCIVIOUS ACTS ON DEPENDENT ADULT"
125	288A(D)(3)	ORAL COPULATION IN CONCERT: VICTIM INCAPABLE OF CONSENT
126	288A(F)(1)	ORAL COPULATION: VICTIM WAS UNCONSCIOUS OR ASLEEP
127	288A(F)(2)	ORAL COPULATION: VICTIM WAS UNCONSCIOUS AND NOT AWARE OF ACT
128	288A(F)(3)	ORAL COPULATION: VICTIM NOT AWARE DUE TO PERPETRATORS FRAUD
129	286(J)	SODOMY WITHOUT CONSENT: BELIEVE PERSON IS SPOUSE
130	288A(J)	ORAL COPULATION: BELIEVE PERSON IS A SPOUSE
131	266H(B)	PIMPING WHERE PROSTITUTE IS UNDER 16
132	269	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 OR 10 YEARS YOUNGER THAN PERPATRATOR
133	209(B)(1)	KIDNAP FOR RANSOM WITH INTENT TO COMMIT 261, 286, 288, 288a, 289
134	269(A)	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 OR 10 YEARS YOUNGER THAN PERPETRATOR
135	269(A)(2)	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 TO VIOLATE PC 264.1
136	269(A)(3)	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 TO VIOLATE PC 286 BY FORCE OR FEAR
137	269(A)(4)	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 TO VIOLATE PC 288a BY FORCE OR
138	269(A)(5)	AGGRAVATED SEXUAL ASSAULT WITH CHILD UNDER 14 TO VIOLATE PC 289(a)
139	289(D)(1)	SEXUAL PENETRATION: FOREIGN OBJECT, VICTIM UNCONSCIENCE OR ASLEEP
140	289(D)(2)	SEXUAL PENETRATION: FOREIGN OBJECT, VICTIM UNAWARE
141	289(D)(3)	SEXUAL PENETRATION: FOREIGN OBJECT, VICTIM UNAWARE BECAUSE PERPETRATOR'S FRAUD
142	311.3(B)	SEXUALLY EXPLOIT MINOR: DEPICT MINOR IN SEX ACT
143	311.3(B)(1)	SEXUALLY EXPLOIT MINOR: SEXUAL INTERCOURSE
144	311.3(B)(2)	SEX EXPLOIT MINOR: PENETRATION BY FOREIGN OBJECT
145	311.3(B)(3)	SEXUALLY EXPLOIT MINOR: MASTURBATION
146	311.3(B)(4)	SEXUALLY EXPLOIT MINOR: SADOMASOCHISTIC ABUSE
147	311.3(B)(5)	SEXUALLY EXPLOIT MINOR: EXHIBIT GENITALS
148	311.3(B)(6)	SEXUALLY EXPLOIT MINOR: DEFECATE, URINATE FOR VIEWER STIMULATION
149	311.3(D)	PRIOR CONVICTION: PUNISHMENT
150	288A(C)(2)	ORAL COPULATION WITH FORCE OR VIOLENCE
151	286(C)(2)	SODOMY WITH FORCE OR VIOLENCE
152	286(C)(3)	SODOMY WITH THREAT OF RETALIATION

153	288A(C)(1)	ORAL COPULATION WITH PERSON UNDER 14
154	288A(C)(3)	ORAL COPULATION WITH THREAT OF RETALIATION
155	289(A)(1)	SEXUAL PENETRATION, FOREIGN OBJECT WITH FORCE
156	289(A)(2)	SEXUAL PENETRATION, FOREIGN OBJECT WITH THREAT OF RETALIATION
157	288.2	HARMFUL MATTER: SPECIAL CIRCUMSTANCES
158	288.2(A)	HARMFUL MATTER: SENT WITH INTENT OF SEDUCTION OF MINOR VIA PHONE
159	288.2(B)	HARMFUL MATTER: SUBSEQUENT ARREST SEDUCTION OF MINOR VIA MAIL/INTERNET
160	243.4(E)(1)	TOUCH PERSON INTIMATELY AGAINST WILL FOR SEXUAL AROUSAL/ETC
161	261(A)(4) (A)	RAPE: VICTIM WAS UNCONSCIOUS OR ASLEEP
162	288A(F)(4)	ORAL COPULATION: VICTIM NOT AWARE - FRAUD. MISREPRESENTATION
163	288B	PRIOR CODE-ORAL COPULATION IN CONCERT WITH FORCE/ETC
164	647.6(C)(1)	ANNOY/MOLEST CHILDREN W/PR
165	261(A)(4) (D)	RAPE: VICTIM NOT AWARE - FRAUDULENT MISREPRESENTATION
166	289(D)(4)	SEX PENETRA: VICTIM NOT AWARE - FRAUDULENT MISREPRESENTATION
167	647.6(a)(1)	ANNOY/MOLEST CHILD UNDER 18 YEARS OLD
168	647.6(a)(2)	ANNOY/MOLEST PERSON BELIEVED TO BE UNDER 18 YEARS OLD
169	647.6(B)	ANNOY/MOLEST CHILDREN: ILLEGAL ENTRY

Appendix B

290 Parole Restrictions

Below is a sample form used to identify restrictions for individuals with sex offenses. Per our interviews, it was noted that some restrictions are arbitrarily assigned and not based on the original offense. For example, some individuals may have a requirement that limits their contact with minors even though their offense did not include minors.

STATE OF CALIFORNIA
SPECIAL CONDITIONS OF PAROLE
CDCR 1515-ADDENDUM (Rev. 11/15)

DEPARTMENT OF CORRECTIONS AND REHABILITATION
DIVISION OF ADULT PAROLE OPERATIONS
PAGE 1 OF 7

PAROLEE NAME: _____ CDC NUMBER: _____ DATE: **11/25/2015**

You shall comply with all of the following special conditions while you are on parole. Any exceptions must be approved in writing by the Unit Supervisor.

COURT IMPOSED		REASON	INITIALS
<input checked="" type="checkbox"/>	1. You shall abide by any court imposed Special Conditions of Parole.	17	[Signature]

SUBSTANCE ABUSE			
<input type="checkbox"/>	2. You shall submit to urinalysis testing when instructed to do so by a parole agent.		
<input type="checkbox"/>	3. You shall not consume, possess, or have access to any alcoholic beverages, liquors, or over-the-counter medication that contains alcohol; (e.g., Nyquil). You shall provide a urine or breath sample for the purpose of detecting the presence of alcohol.		
<input type="checkbox"/>	4. You shall not enter a business whose primary purpose is to sell or serve alcoholic beverages.		
<input type="checkbox"/>	5. You shall not use, possess, or distribute any narcotic or other controlled substance as defined by law or any paraphernalia related to such substances, without a valid prescription.		
<input type="checkbox"/>	6. You shall enroll in and successfully complete a substance abuse treatment program as directed by your parole agent or appropriate parole authority.		

TREATMENT			
<input checked="" type="checkbox"/>	7. You shall attend Parole Outpatient Clinic for an initial evaluation and remain in the mental health treatment program as deemed necessary by a Parole Outpatient Clinic clinician.	7	[Signature]
<input checked="" type="checkbox"/>	8. You shall participate in a mental health treatment program as directed by your parole agent.	7	[Signature]
<input checked="" type="checkbox"/>	9. You shall submit to psychological or physiological assessments to assist in treatment planning and/or parole supervision.	11	[Signature]
<input checked="" type="checkbox"/>	10. You shall report to, enroll in, and actively participate in a Division of Adult Parole Operations approved treatment program specific to sex offenders.	11	[Signature]
<input checked="" type="checkbox"/>	11. You hereby agree to polygraph examinations while on parole supervision, with the questioning limited to questions about the success of the sex offender treatment program, the crime(s) for which you were convicted, and related criminal behavior, whether past or future.	11	[Signature]
<input checked="" type="checkbox"/>	12. You agree to and will sign any necessary documents including a waiver of the psychotherapist-patient privilege to allow full communication between your sex offender management professional and your parole agent as required by Penal Code (PC) Section 3008 (d)(4) and PC Section 290.09.	11	[Signature]
<input checked="" type="checkbox"/>	13. Upon reporting to sex offender treatment, you shall sign the forms presented by the treatment provider, including an information release form and a "Consent to Polygraph" form.	11	[Signature]

CONTACT WITH MINORS			
<input checked="" type="checkbox"/>	14. You shall not have contact with any minor male/female you know or reasonably should know is under the age of 18. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc., excluding biological or adopted children.	3,4	[Signature]
<input type="checkbox"/>	15. You shall not have any contact with any minor male/female you know or reasonably should know is between the ages of 13 and 18. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc., excluding biological or adopted children.		
<input type="checkbox"/>	16. You shall not have contact with your biological or adopted children. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, through electronic media, e-mail, computer, or through another person, etc.		
<input checked="" type="checkbox"/>	17. You shall immediately inform your parole agent regarding any contact with a minor. This includes "accidental" or "incidental" contact.	3,4	[Signature]
<input checked="" type="checkbox"/>	18. You shall not enter or loiter within 250 feet of the perimeter of places where children congregate; e.g., day care centers, schools, parks, playgrounds, video arcades, swimming pools, state fairgrounds, county fairgrounds, etc.	3,4	[Signature]
<input checked="" type="checkbox"/>	19. You shall not enter any school building or school grounds (kindergarten and grades 1 to 12, inclusive) unless for lawful business and written permission, indicating the dates and time, has been granted from the chief administrative official of the school.	413	[Signature]
<input checked="" type="checkbox"/>	20. You shall not enter any park where children regularly gather without prior written approval from your parole agent. The written approval must be kept with you while you are in the park.	413	[Signature]

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NS

PAROLEE NAME _____ CDC NUMBER: _____ DATE: 11/25/2015

RELATIONSHIPS

		REASON	INITIALS
<input checked="" type="checkbox"/>	21. You shall not date, socialize, or form a romantic interest or sexual relationship with any person who has physical custody of a minor.	3,4	
<input checked="" type="checkbox"/>	22. You shall inform all persons with whom you have a significant relationship; e.g., employer, dating, or roommate, about your criminal history, and you will inform your parole agent about the relationship.	3,4	
<input type="checkbox"/>	23. You shall inform all persons with whom you have a sexual or romantic relationship, that you have been diagnosed as having a communicable disease.		

VICTIM(S): Provide the victim(s) full name(s). If unable to produce victim(s) name(s), supply the law enforcement agency case number(s) or DA case number and the conviction date(s). *Name(s) of Victim(s):* 04/01/08- PC 288 (a) L&L VU14
Case #RIF086724 Victims

<input checked="" type="checkbox"/>	24. You shall not enter the premises, unnecessarily travel past, or loiter near where your victim frequents, resides, is employed, or attends classes.	3,4	
<input checked="" type="checkbox"/>	25. You shall not contact or attempt to contact your crime victim(s) or their immediate families. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc.	3,4	
<input checked="" type="checkbox"/>	26. You shall not threaten, stalk, abuse, harass, or commit further violent acts against the victim(s).	3,4	
<input checked="" type="checkbox"/>	27. You shall not have in your possession any of your victim's personal effects; e.g., pictures, letters, etc.	3,4	

ASSOCIATION

<input checked="" type="checkbox"/>	28. You shall not associate with any known sex offenders except as previously approved or instructed by your parole agent.	3,4	
<input type="checkbox"/>	29. You shall not have contact with co-defendants or other arrestees of your offenses. "No contact" means no contact in any form, whether direct or indirect, personally, by telephone, in writing, electronic media, computer, or through another person, etc.		

TRAVEL

<input type="checkbox"/>	30. You shall not travel more than _____ miles from your residence of record.		
<input type="checkbox"/>	31. You shall maintain and have in your possession a travel log, which shall include date and time of departure, destination, time of arrival, mileage, route taken, with whom, and include daily starting and ending mileage.		
<input type="checkbox"/>	32. You shall not hitchhike or pick up hitchhikers.		
<input checked="" type="checkbox"/>	33. You shall not enter or loiter within 100 yards of areas of sexual or pornographic activity; e.g., adult bookstores, massage parlors, nude or topless bars, sex shops, etc.	913	
<input checked="" type="checkbox"/>	34. You shall notify your parole agent in advance of operating any motor vehicle, providing the make, model, year, color, and license number.	913	

EMPLOYMENT

<input checked="" type="checkbox"/>	35. Employment shall be pre-approved by your parole agent.	913	
<input checked="" type="checkbox"/>	36. You shall not obtain employment that allows you to enter a residence where a stranger resides.	913	
<input checked="" type="checkbox"/>	37. Volunteer work shall be preapproved by your parole agent.	913	

RESIDENCE

<input checked="" type="checkbox"/>	38. You shall not reside in a residence with any person also required to register pursuant to PC Section 290, unless he or she is legally related to you by blood, marriage, or adoption. This does not include treatment programs and/or board and care facilities with the appropriate use permit.	10a	
<input type="checkbox"/>	39. You shall not reside within one-half mile of any public or private school (kindergarten and grades 1 through 12, inclusive) pursuant to PC Section 3003(g).		
<input checked="" type="checkbox"/>	40. You shall not reside within <u>250</u> feet of any public or private school (kindergarten and grades 1 through 12, inclusive).	34	
<input checked="" type="checkbox"/>	41. You shall not reside within <u>250</u> feet of any parks where children regularly congregate.	34	
<input type="checkbox"/>	42. You shall not reside in the county of _____.		
<input checked="" type="checkbox"/>	43. You shall be in your approved residence from <u>9</u> p.m. to <u>5</u> a.m.	34	
<input checked="" type="checkbox"/>	44. You shall not establish a residence that has not been preapproved by your parole agent.	34	
<input type="checkbox"/>	45. You shall not reside within 35 miles of your victim.		

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PAROLEE NAME _____ CDC NUMBER: _____ DATE: **11/25/2015**

POSSESSIONS

	REASON	INITIALS
<input checked="" type="checkbox"/> 46. You shall not possess, or have access to any sexually oriented or sexually stimulating objects and/or devices.	9,13	[Signature]
<input checked="" type="checkbox"/> 47. You shall not view, possess, or have access to any pornographic material; e.g., movies, photographs, drawings, literature, etc.	9,13	[Signature]
<input checked="" type="checkbox"/> 48. You shall not view, possess, or have access to any material; e.g., periodicals, newspapers, magazines, catalogs depicting adults or children in undergarments, nude, partially nude, etc.	3,4	[Signature]
<input checked="" type="checkbox"/> 49. You shall not possess or have access to sexually oriented devices, handcuffs, handcuff keys, restraint equipment, or any other items that could be used for bondage, restraint, control, or confinement.	9,13	[Signature]
<input checked="" type="checkbox"/> 50. You shall not possess or have access to children's clothing, toys, games, or other similar material related to children's interests.	3,4	[Signature]
<input type="checkbox"/> 51. You shall not possess any household pets or animals including animals not traditionally considered household pets; e.g., snakes, lizards, gerbils, farm animals, etc.		
<input checked="" type="checkbox"/> 52. You shall not use or possess law enforcement identification, insignia, badges, uniforms, or other items identified with law enforcement.	9,13	[Signature]
<input checked="" type="checkbox"/> 53. You shall not use, possess, or have access to surveillance equipment.	9,13	[Signature]
<input checked="" type="checkbox"/> 54. You shall not use, possess, or have access to police radio scanners, or other telecommunications device(s) which monitor police radio transmission.	9,13	[Signature]
<input checked="" type="checkbox"/> 55. You shall not wear, possess, purchase, or have access to costumes, masks, or other identity-concealing items.	9,13	[Signature]
<input type="checkbox"/> 56. You shall not use or have access to a post office box, safe deposit box, storage facility, or locker.		
<input type="checkbox"/> 57. You shall not possess or have access to checks, money orders, or credit cards.		
<input type="checkbox"/> 58. You shall not possess or have access to latex, surgical, or any other type of gloves.		

GANG

<input type="checkbox"/> 59. You shall not contact or associate with any person you know or reasonably should know to be a member or associate of a prison gang, disruptive group, or street gang.		
<input type="checkbox"/> 60. You shall not violate any gang abatement injunction, ordinance, or court order.		
<input type="checkbox"/> 61. You shall not wear or carry on your person any clothing or apparel with gang colors, signs, symbols, or paraphernalia you know or reasonably should know to be associated with gang affiliation and/or activity.		
<input type="checkbox"/> 62. You shall not possess items such as photographs, written material, publications, jewelry, or any other items depicting or describing activity you know or reasonably should know are associated with gang activity.		
<input type="checkbox"/> 63. You shall not be within 100 yards of: _____ a known place of gang activity, loitering (delaying, lingering, or idling about), or congregating.		

FAMILY VIOLENCE

<input type="checkbox"/> 64. You shall enroll in and successfully complete a certified Batterer's Program. Enrollment shall occur within 30 days from the date of release.		
<input type="checkbox"/> 65. You shall enroll in and successfully complete a certified Parenting Program. Enrollment shall occur within 30 days from the date of release.		
<input type="checkbox"/> 66. You shall enroll in and successfully complete an Anger Management Program. Enrollment shall occur within 30 days from the date of release or 30 days from the signature of these conditions, whichever occurs last.		
<input checked="" type="checkbox"/> 67. You shall not come within 100 yards of the victim, the victim's residence, or the victim's workplace.	3,4	[Signature]

GLOBAL POSITIONING SYSTEM (GPS)

<input checked="" type="checkbox"/> 68. You shall participate in continuous electronic monitoring; e.g., GPS technology. I understand and acknowledge the GPS device continuously records my location and provides data to the Division of Adult Parole Operations. I understand and acknowledge the data is retained indefinitely and may be shared with other law enforcement agencies.	12	[Signature]
<input checked="" type="checkbox"/> 69. You may be charged criminally with grand theft, petty theft, or vandalism and be fined for the cost of the equipment's replacement in the event it is not returned, is purposely discarded, stolen, and/or damaged.	12	[Signature]
<input type="checkbox"/> 70. You are approved for a GPS modification. You shall maintain the GPS device on your person or ambulatory device 24 hours a day, 7 days a week, except when showering or sleeping. When showering or sleeping, you must keep the device within reach of your person.		
<input type="checkbox"/> 71. You shall observe a _____ a.m./p.m. to _____ a.m./p.m. curfew and remain within your approved residence.		
<input checked="" type="checkbox"/> 72. You shall charge the GPS device at least two times per day (every 12 hours). Charge the device at _____ a.m. for at least 1 full hour. Charge the device at _____ p.m. for at least 1 full hour.	12	[Signature]

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PAROLEE NAME: _____

CDC NUMBER: _____

DATE: **11/25/2015**

GLOBAL POSITIONING SYSTEM (GPS) (CONTINUED)

		REASON	INITIALS
<input checked="" type="checkbox"/>	73. You shall charge the GPS device at least two times per day (every 12 hours) for at least 1 full hour for each charging time.	12	[Signature]
<input checked="" type="checkbox"/>	74. You shall not tamper with the device or cover the device with any material that you know or reasonably should know will interfere with the GPS signal.	12	[Signature]
<input checked="" type="checkbox"/>	75. You shall contact your parole agent immediately if, and when the device vibrates and/or makes an audible tone or beep.	12	[Signature]
<input checked="" type="checkbox"/>	76. You shall not expose the device to extreme temperatures or place it under water; e.g., pool, hot tub, bath, etc.	12	[Signature]

PC SECTION 290 TRANSIENT

<input checked="" type="checkbox"/>	77. If you are transient, you shall register as a transient and comply with all transient registration requirements pursuant to PC Section 290.011.	10c	[Signature]
<input type="checkbox"/>	78. If you are transient, you shall contact your parole agent by telephone between the hours of _____ a.m. and _____ p.m. on (circle all that apply): M / T / W / TH / F / S / SU.		
<input checked="" type="checkbox"/>	79. If you are transient, you shall report to the following destination: <u>Riverside Parole Office</u> on (circle all that apply): M / T / W / TH / F / S / SU.	10b	[Signature]

COMPUTER USE AND ELECTRONIC MEDIA

<input type="checkbox"/>	80. You shall not have access to or use a personal computer and peripheral devices; e.g., printer, scanner, camera, storage devices, etc.		
<input type="checkbox"/>	81. You shall not use or possess cameras, cell phones that include a camera, video cameras, or photography equipment of any kind.		
<input type="checkbox"/>	82. You shall not use or possess a cell phone of any kind.		
<input type="checkbox"/>	83. You shall agree to install, or allow to be installed at your own expense, equipment and/or software to monitor or limit computer use.		
<input checked="" type="checkbox"/>	84. You shall not use or access social media sites, social networking sites, peer-to-peer networks, or computer or cellular instant messaging systems; e.g., Facebook, Instagram, Twitter, Snapchat, Lync, Gmail, Yahoo, KIK Messenger, Tumblr, etc. This would include any site which allows the user to have the ability to navigate the internet undetected.	13	[Signature]
<input checked="" type="checkbox"/>	85. You shall not use the computer for any purpose which might further sexual activity; e.g., possession of sexually explicit material in any form; sexually related "chat" or e-mail exchange; visiting or joining "chat rooms" which contain sexually explicit conversations; visiting/viewing sexually explicit material on web sites; downloading text or video files, digital images in any format, text files, or multi-media material that is sexual in nature; or visiting and/or subscribing to user groups, newsgroups, or list servers which contain sexual content.	913	[Signature]
<input checked="" type="checkbox"/>	86. You shall not use the computer for any purpose which might further sexual activity involving minor children, (e.g., possession of sexually explicit material in any form, sexually related "chat" or e-mail exchange, visiting or joining "chat rooms" which contain sexually explicit conversations, visiting/viewing sexually explicit material on web sites, downloading text or video files, digital images in any format, text files, or multi-media material that is sexual in nature, or visiting and/or subscribing to user groups, newsgroups, or list servers which contain sexual content).	3,4	[Signature]
<input checked="" type="checkbox"/>	87. You shall not possess or view certain materials related to, or part of, the grooming cycle for your crime, e.g., images of your victim, stories or images related to your crime or similar crimes, images which depict individuals similar to your victims, (e.g., children, stories written about, or for individuals similar to your victim); or materials focused on the culture of your victim, (e.g., children's shows or web sites).	3,4	[Signature]
<input checked="" type="checkbox"/>	88. You shall not use any method to hide or prevent unauthorized users from viewing specific data or files, (e.g., encryption, cryptography, steganography, compression, or password protected files). Login and password information shall be provided to your parole agent upon request.	13	[Signature]
<input checked="" type="checkbox"/>	89. You shall not alter or destroy records of computer use; e.g., delete or remove browser history data, possess software or items designed to boot into the computer memory, alter or "wipe" computer media, defeat forensic software, block monitoring software, restore a computer to a previous state, or reinstall operating systems, etc.	13	[Signature]
<input checked="" type="checkbox"/>	90. You shall consent to announced or unannounced examination and/or search of electronic devices to which you have access for the limited purpose of detecting content prohibited by your parole conditions or by court order; e.g., hard disks, DVDs, CDs, zip disks, floppy disks, thumb drives, and/or any other storage media whether installed within a device or removable and separate from the actual computer device.	13	[Signature]
<input type="checkbox"/>	91. You shall not view, possess, or have access to programming for the purpose of viewing sexually explicit programming through televisions or any type of monitor.		
<input checked="" type="checkbox"/>	92. You shall not view, possess, or have access to electronic media that depicts sexually explicit content.	913	[Signature]

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PAROLEE NAME: _____ CDC NUMBER: _____ DATE: **11/25/2015**

OTHER		REASON	INITIAL
<input checked="" type="checkbox"/>	93. You shall not place or answer any type of personal advertisement seeking or soliciting a relationship with a stranger.	3,4	[Signature]
<input checked="" type="checkbox"/>	94. You shall not use or access any telephone numbers designed for sexual arousal or stimulation.	913	[Signature]
<input checked="" type="checkbox"/>	95. You shall not use any fictitious names or change your name in an attempt to conceal your true identity or establish another identity.	913	[Signature]
<input checked="" type="checkbox"/>	96. If you spend the night away from your residence of record, you shall notify your parole agent in advance. You shall provide all contact information, including the address and the telephone number.	3,4	[Signature]
<input type="checkbox"/>	97. You shall not loiter (delay, linger, or idle about) or be in the vicinity of: _____		
<input type="checkbox"/>	98. Unless you are a resident, you shall not enter or remain on the grounds of a day care or residential facility where elders or dependent adults are regularly present or living (PC Section 653c).		
<input checked="" type="checkbox"/>	99. You shall not use any public shower facility; join any health club, physical fitness training facility, or sports club.	913	[Signature]
<input checked="" type="checkbox"/>	100. You shall wear clothing so as not to expose your genitals, breasts, or buttocks.	913	[Signature]
<input checked="" type="checkbox"/>	101. You shall contact your parole agent within 24 hours of any type of law enforcement contact; e.g., traffic stop, identification check, suspect, witness, etc.	13	[Signature]
<input checked="" type="checkbox"/>	102. You shall have your updated PC Section 290 registration verification with you at all times. You must present it during any contact or interaction with any law enforcement officer.	3,4	[Signature]
<input checked="" type="checkbox"/>	103. You shall observe a <u>5</u> a.m./p.m. to <u>5</u> a.m./p.m. curfew on Halloween, and remain within your approved residence.	3,4	[Signature]
<input checked="" type="checkbox"/>	104. You shall/shall not: You shall not visit any residence without prior approval. You shall provide a written list of these residence to the Parole Agent, which shall include: 1. street address 2. Name of person who reside at the residence 3. Your relationship/person. This shall be provided to the Agent of Record prior to visit	3,4	[Signature]
<input checked="" type="checkbox"/>	105. You shall/shall not: YOU SHALL REGISTER PER PC 290 WITHIN FIVE (5) WORKING DAYS OF YOUR INITIAL RELEASE OR REVOCATION RELEASE FROM CUSTODY WITH LOCAL LAW ENFORCEMENT. YOU HAVE FIVE (5) WORKING DAYS TO REGISTER IF YOU MOVE RESIDENCES.	10	[Signature]
<input checked="" type="checkbox"/>	106. Other information: YOU SHALL NOT ENTER PLACES WHERE CHILDREN REGULARLY CONGREGATE (E.G., DAY CARE CENTERS, SCHOOLS, PARKS, PLAY GROUND, VIDEO ARCADES, MOVIE THEATERS, PUBLIC SWIMMING POOLS, AMUSEMENT PARKS, FAIRGROUNDS, BEACHES, ETC.)	34	[Signature]
<input checked="" type="checkbox"/>	107. Other information: YOU SHALL NOT ENTER ANY FAST FOOD RESTAURANTS WHICH HAS A BUILD-IN PLAYGROUND/PLAY AREA DESIGNED FOR CHILDREN'S USE SUCH AS MCDONALDS, CHUCK E. CHEESE'S, CARL'S JR., SHAKEY'S PIZZA PARLOR, ETC.	34	[Signature]
<input checked="" type="checkbox"/>	108. Other information: YOU SHALL NOT VISIT OR ENTER A RESIDENCE WHERE CHILDREN RESIDE, REGARDLESS OF WHETHER CHILDREN ARE OR ARE NOT PRESENT.	3,4	[Signature]

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Appendix C

Frequently asked questions – California’s Tiered Registry



CALIFORNIA DEPARTMENT OF JUSTICE CALIFORNIA JUSTICE INFORMATION SERVICES SEX OFFENDER REGISTRY



Frequently Asked Questions California Tiered Sex Offender Registration (Senate Bill 384) For Registrants

The California Department of Justice (CA DOJ) Sex Offender Registry has developed the following frequently asked questions in reference to Senate Bill (SB) 384. The information provided below is general information and is not intended as legal advice.

NOTE: The CA DOJ cannot provide legal advice.

What is SB 384?

SB 384 will transition California’s lifetime sex offender registration schema to a tier-based schema. SB 384 will establish three tiers of registration for adult registrants for periods of 10 years, 20 years, and life, and two tiers of registration for juvenile registrants for periods of 5 years and 10 years. This new law requires the registrant to petition the superior court or juvenile court for termination of their sex offender registration requirement at the expiration of their mandated minimum registration period. Based on criteria listed in SB 384, the court will either grant or deny the petition.

IMPORTANT DATES

Beginning on January 1, 2021, the CA DOJ will designate tiers for registrants.

Beginning on July 1, 2021, registrants who meet the mandated minimum requirements may petition for termination of their sex offender registration requirement in the superior court or juvenile court in the county in which they reside.

Beginning on January 1, 2022, registrants will be displayed on the Megan’s Law website pursuant to Penal Code section 290.46 as amended under SB 384.

When does SB 384 take effect?

The new tier-based sex offender registration schema takes effect on January 1, 2021.

On or after July 1, 2021, tier one and tier two registrants who meet mandatory minimum requirements as listed in SB 384 may petition the superior court or juvenile court in their county of residence for termination of their California sex offender registration requirement. On or before January 1, 2022, the CA DOJ shall make information available to the public via the Megan’s Law website in accordance with SB 384.

The current lifetime sex offender registration schema remains in effect until December 31, 2020.



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Tiering

How are the tiers determined?

Tiers are designated in accordance with the criteria specified in Penal Code sections 290 through 290.024, et seq., the Sex Offender Registration Act, as amended under SB 384, which include registrable conviction(s) or adjudication(s) from California and non-California jurisdictions, risk assessment scores and levels, and other criteria.

What are the mandatory minimum registration periods for individuals who were convicted of their registrable offenses in superior court?

Tier One: 10 years
Tier Two: 20 years
Tier Three: Lifetime

What are the mandatory minimum registration periods for individuals who were adjudicated of their registrable offenses in juvenile court?

Tier One: 5 years
Tier Two: 10 years

What is considered when determining whether I have met my mandatory minimum registration period?

Pursuant to Penal Code section 290(e) as added by SB 384, "the minimum time period for the completion of the required registration period in tier one or two commences on the date of release from incarceration, placement, or commitment, including any related civil commitment on the registrable offense. The minimum time for the completion of the required registration period for a designated tier is tolled during any period of subsequent incarceration, placement, or commitment, including any subsequent civil commitment, except that arrests not resulting in conviction, adjudication, or revocation of probation or parole shall not toll the required registration period. The minimum time period shall be extended by one year for each misdemeanor conviction of failing to register under the Sex Offender Registration Act (the Act), and by three years for each felony conviction of failing to register under the Act, without regard to the actual time served in custody for the conviction. If a registrant is subsequently convicted of another offense requiring registration pursuant to the Act, a new minimum time period for the completion of the registration requirement for the applicable tier shall commence upon that person's release from incarceration, placement, or commitment, including any related civil commitment. If the subsequent conviction requiring registration pursuant to the Act occurs prior to an order to terminate the registrant from the registry after completion of a tier associated with the first conviction for a registrable offense, the applicable tier shall be the highest tier associated with the convictions."



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Who determines my tier designation?

Pursuant to Penal Code section 290.006 as amended under SB 384, on or after January 1, 2021, the court shall determine the tier designations for individuals ordered by the court to register. Registrants who are court-ordered to register will be designated as tier one unless the court finds the person should register as a tier two or tier three registrant and states on the record the reasons for its finding. An individual is court-ordered to register pursuant to Penal Code section 290.006 when an individual is convicted of an offense not specifically included in Penal Code section 290(c) and the court makes a finding that the person committed the offense as a result of sexual compulsion or for purposes of sexual gratification.

The CA DOJ will designate the tiers of all other registrants.

Will I be notified of my tier designation?

Registrants may request their local registering agencies to provide them with their tier notification letters after January 1, 2021.

What if I disagree with my tier designation?

Registrants who feel they have been designated as the wrong tier as specified in the Act as amended under SB 384 should consult with the public defender's office or a private attorney.

What tier will I be in if I have a non-California registrable sex offense conviction (out-of-state, federal, military)?

Pursuant to Penal Code section 290, subdivision (d)(4), as added by SB 384, "a person who is required to register pursuant to Section 290.005 shall be placed in the appropriate tier if the offense is assessed as equivalent to a California registerable offense described in subdivision (c). If the person's requirement to register pursuant to Section 290.005 is based solely on the requirement of registration in another jurisdiction, and there is no equivalent California registerable offense, the person shall be subject to registration as a tier two registrant, except that the person is subject to registration as a tier three registrant if one of the following applies:

(i) The person's risk level on the static risk assessment instrument (SARATSO), pursuant to Section 290.06, is well above average risk at the time of release on the index sex offense into the community, as defined in the Coding Rules for that instrument.

(ii) The person was subsequently convicted in a separate proceeding of an offense substantially similar to an offense listed in subdivision (c) which is also substantially similar to an offense described in subdivision (c) of Section 667.5, or is substantially similar to Section 269 or 288.7.

(iii) The person has ever been committed to a state mental hospital or mental health facility in a proceeding substantially similar to civil commitment as 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."



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If I was convicted in another state/jurisdiction and I am not required to register as a sex offender in that jurisdiction (out-of-state, federal, military), am I still required to register in California?

If a registrant has a non-California conviction for which they are no longer required to register in the state of conviction, they may still be required to register in California. If the CA DOJ determines that their non-California conviction is equivalent to a registrable offense listed in Penal Code section 290(c), they will be required to meet the mandatory minimum registration requirements for the applicable tier for that offense before petitioning for termination from the requirement to register as a sex offender in California.

What if the CA DOJ is unable to determine my tier by January 1, 2021?

A registrant will be placed in a tier-to-be-determined category if their appropriate tier designation cannot be immediately ascertained. An individual placed in this tier-to-be-determined category shall continue to register in accordance with the Act. The individual shall be given credit for any period for which they register towards their mandated minimum registration period.

The CA DOJ shall ascertain an individual's appropriate tier designation within 24 months of their placement in the tier-to-be-determined category. A registrant is ineligible to petition for termination of their sex offender registration requirement in California while they are placed in a tier-to-be-determined status.

If my requirement to register as a sex offender in California is terminated and I subsequently move out of the state, am I required to register in my new state of residence?

Each state/jurisdiction has their own sex offender registration requirements; therefore, the CA DOJ cannot confirm a registrant's requirement to register as a sex offender in another state/jurisdiction. Registrants should contact the sex offender registry for the appropriate state/jurisdiction for additional information about registration requirements in that state/jurisdiction.

If I believe I already meet the mandatory minimum registration requirements as included in SB 384, do I still need to register?

Yes. Registrants must continue to register as sex offenders in accordance with the Act. After July 1, 2021, specified registrants may petition the courts for termination of the requirement to register as a sex offender in accordance with SB 384.

However, registrants are required to continue registering in accordance with the Act unless and until a court grants a petition for termination of sex offender registration requirements in California.

Failure to continue registering in accordance with the Act may make you subject to prosecution for failure to register offenses.

Megan's Law Website

When will I be posted on the Megan's Law website pursuant to SB 384?

Beginning January 1, 2022, the Megan's Law website will reflect changes pursuant to SB 384. These changes include the elimination of certain exclusion criteria.



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Who will be posted on the website?

Not all registrants will be posted on the public website. Penal Code section 290.46 as amended under SB 384 provides the criteria for individuals to be posted to the Megan's Law website.

Will the exclusion criteria change for removal from the Megan's Law website?

Yes. Pursuant to Penal Code section 290.46(d) as amended under SB 384, only registrants who meet the following requirements will be eligible to apply for exclusion.

"(i) An offense for which the registrant successfully completed probation, provided that the registrant submits to the department a certified copy of a probation report, presentencing report, report prepared pursuant to Section 288.1, or other official court document that clearly demonstrates that the registrant was the victim's parent, stepparent, sibling, or grandparent and that the crime did not involve either oral copulation or penetration of the vagina or rectum of either the victim or the registrant by the penis of the other or by any foreign object.

(ii) An offense for which the registrant is on probation at the time of his or her application, provided that the registrant submits to the department a certified copy of a probation report, presentencing report, report prepared pursuant to Section 288.1, or other official court document that clearly demonstrates that the registrant was the victim's parent, stepparent, sibling, or grandparent and that the crime did not involve either oral copulation or penetration of the vagina or rectum of either the victim or the registrant by the penis of the other or by any foreign object.

If, subsequent to his or her application, the registrant commits a violation of probation resulting in his or her incarceration in county jail or state prison, his or her exclusion, or application for exclusion from the Internet Web site shall be terminated."

If I am currently excluded from the Megan's Law website will I remain excluded?

Pursuant to amendments to Penal Code section 290.46 resulting from SB 384, registrants who were previously granted exclusion may no longer be eligible for exclusion. If the CA DOJ determines that a person who was granted an exclusion under a former version of Penal Code section 290.46(e) would not qualify for exclusion under Penal Code section 290.46(d) as amended under SB 384, the CA DOJ shall rescind the exclusion, make a reasonable effort to provide notification to registrant that the exclusion has been rescinded, and, no sooner than 30 days after notification is attempted, make information about the registrant available to the public on the Internet Web site as provided in Penal Code section 290.46(d) as amended under SB 384.

Petition for Termination of Sex Offender Registration Requirement

When and where do I petition for termination of my sex offender registration requirement in California?

On or after July 1, 2021, registrants who meet the mandated minimum requirements may petition the superior court or juvenile court in the county in which they reside.

The CA DOJ cannot provide legal assistance. If assistance is required, a registrant may contact the local public defender's office or a private attorney.



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An individual who is registering solely for a juvenile adjudication will petition the juvenile court. Any individual registering for an adult conviction of a sex offense, even if that person also registers for a juvenile adjudication, will petition the superior court.

Registrants must initiate the petition process by completing the petition forms, requesting proof of current registration from their individual registering law enforcement agencies, filing their petitions, and serving copies of their filed petitions on the required parties.

How can I have my registration terminated before January 1, 2021?

Until January 1, 2021, registrants remain subject to lifetime registration and must obtain a certificate of rehabilitation or gubernatorial pardon in order to be relieved of the requirement to register (Pen. Code § 290.5).

Where do I receive proof of current registration to attach to my petition?

The registrant's current registering law enforcement agency will provide the proof of current registration upon request from the registrant.

On whom do I serve my petition?

The petition is served on the registering law enforcement agency and the district attorney in the county where the petition is filed and on the law enforcement agency and the district attorney of the county of conviction of a registerable offense if different than the county where the petition is filed (Pen. Code § 290.5, as amended under SB 384).

Who grants or denies a petition for termination?

The superior court or juvenile court where the registrant filed their petition will be responsible for either granting or denying the petition for termination. For more information on the criteria used to grant or deny a petition, please refer to Penal Code section 290.5 as amended under SB 384.

If my petition for termination is denied following a court hearing, when can I re-petition for termination?

Pursuant to Penal Code section 290.5 as amended under SB 384, the court shall set the time period after which the person can re-petition for termination for tier one and tier two registrants who have met their mandated minimum registration periods, but whose petitions for termination were denied. The earliest re-petition date shall be at least one year from the date of the denial, but not to exceed five years, based on facts presented at the hearing. The court shall state on the record the reason for its determination setting the time period after which the person may re-petition.

A limited number tier two and tier three registrants, eligible to petition based on specified circumstances, may petition the court for termination of sex offender registration requirements (Pen. Code § 290.5(b)(1)-(b)(3) as amended under SB 384). If the petition is denied, these registrants will be eligible to re-petition from one to five or three to five years from the date of denial (Pen. Code § 290.5, as amended under SB 384).



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SEX OFFENDER REGISTRY**



What will I receive from the court if my petition is granted?

Registrants will receive notice from the court whether their petition is granted or denied. Registrants should retain the court order for their own records.

How long will it take after my petition for termination is granted by the court for my registration requirement to be terminated by the CA DOJ?

The CA DOJ anticipates full termination from the registry after a petition is granted to take between 30-90 days. Please retain a copy of the court order granting your petition until you receive a letter from CA DOJ indicating your registration requirement has been fully terminated. Your requirement to register as a sex offender in California ends at the time the court grants your petition.

Can a tier three registrant petition for termination of their sex offender registration requirement?

If a tier three registrant is designated as tier three solely due to their risk level, which was well above average risk (formerly high risk) on the Static-99R, at least 20 years from release from custody on the registrant's registrable offense, the registrant may petition for termination of their sex offender registration requirement unless the conviction offense is listed in Penal Code sections 1192.7 or 288. The court shall determine, based on factors listed in Penal Code section 290.5 as amended under SB 384, whether community safety would be significantly enhanced by continued registration.

Individuals designated as tier three solely due to their risk level will be designated as Tier 3 – Risk Level by the CA DOJ.

If you are designated as Tier 3 – Lifetime, you may not petition for termination.

Whom may I contact for more information regarding how to file a petition for termination of my sex offender registration requirement?

Registrants may contact the local public defender's office or a private attorney. The CA DOJ cannot provide legal advice.

**California Department of Justice
Sex Offender Registry
SB384@doj.ca.gov**

Appendix D

Resources on Person-Centered Thinking and Practices

1. Learn More About Person-Centered Planning: <https://mnps.org/portfolio-items/person-centered-planning-big-picture/>
2. Moving from Typical Practice to Best Practice: https://8fd2f6f4-a084-4d1e-b3e6-db6ce5a2ce3c.filesusr.com/ugd/6211f4_41f44da7f3f64e6282a1d25dff190d40.pdf
3. Historical Trauma • <https://www.youtube.com/watch?v=AWmK314NVrs>
4. How People Experience Trauma • <https://www.youtube.com/watch?v=sjJUQlodh0g>
5. What is Cultural Healing • <https://www.youtube.com/watch?v=11o7ls7JnxA>
6. Empathy: <https://www.newconversations.net/communication-skillsworkbook/listening/>
7. Mindfulness: <https://www.youtube.com/watch?v=o-kMJBWk9E0>
8. Introversion Vs. Extroversion: https://www.youtube.com/watch?v=rUaj7rj6MI8&list=PLMo9vqiZPs0RQa_kypIS3tchANZa-MJGO&index=17

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