

California Department of Justice
CALIFORNIA JUSTICE
INFORMATION SERVICES DIVISION
Joe Dominic, Chief



INFORMATION BULLETIN

Subject:

Senate Bill (SB) 384: Sex Offender Tiering -
Effective Date January 1, 2021

No.

20-02-CJIS

Date:

03-25-2020

Contact for information:

California Sex Offender Registry
SB384@doj.ca.gov

TO: REGISTERING LAW ENFORCEMENT AGENCIES, COURTS, AND DISTRICT ATTORNEYS

SB 384 (Stats. 2017, ch. 541) mandates that California transition from a lifetime-based sex offender registration system to a tier-based system by **January 1, 2021**. SB 384 establishes three tiers of registration for adult sex offenders, based on specified criteria, for periods of 10 years, 20 years, and life. Juvenile offenders will be required to register as a sex offender for a minimum of either five or 10 years, as specified. Pursuant to this law, on or after **July 1, 2021**, registrants who meet certain requirements may petition the superior court or juvenile court, in their county of residence, for termination of their requirement to register as a sex offender in California.

Petitions for termination will need to be served on both the registering law enforcement agency (LEA) and the LEA in the county of conviction. The registering LEA shall report to the court on whether the registrant meets the mandatory minimum registration requirements for termination. Based on specified criteria, the court will either grant or deny petitions for termination and notify the California Department of Justice (DOJ). The current lifetime sex offender registration laws will remain in effect until **January 1, 2021**.

Pursuant to SB 384, the DOJ is mandated to determine the tier placement for all sex offender registrants in California and is undertaking a multi-year effort to determine the tier designations of registered sex offenders. Tier statuses will be reflected in the California Sex and Arson Registry (CSAR) beginning **January 1, 2021**. The DOJ may place a registrant in a "to be determined" category for up to 24 months pending their tier determination. In accordance with SB 384, on or before **January 1, 2022**, the DOJ shall make information available to the public via the Megan's Law website.

Pursuant to SB 384, California courts are required to send petition for termination information to the DOJ. The DOJ will supply the courts with data submission methods, in order for the courts to forward this information to the DOJ beginning **July 1, 2021**.

The DOJ will also collect and maintain county level custodial information for each registering agency to determine the applicable tolling periods as noted under SB 384. The DOJ will make several data submission mechanisms available for the submission of this information.

To implement and maintain the new tier-based sex offender registry requires a significant effort that impacts not only the DOJ, but registering agencies, courts, and district attorneys. California has the oldest and largest sex offender registry in the United States and there are currently over 146,000 individuals in the registry. The DOJ estimates that tens of thousands of registrants may be eligible to petition for termination of sex offender registration statewide when petitioning commences on

July 1, 2021.

In the coming months, the DOJ has arranged regional training opportunities and webinars for law enforcement and criminal justice business partners. The DOJ is sharing training materials and Information Bulletins on the California Sex Offender Registry (CSOR) webpage of the California Law Enforcement website (CLEW) <http://clew.doj.ca.gov>. Among other materials, this includes Frequently Asked Questions (FAQs) for law enforcement business partners and a SB 384 fact sheet. Law enforcement business partners are strongly encouraged to subscribe to CLEW and check the CSOR webpage often for updates.

Sex offender registrants who have questions about SB 384 should access the Registrant FAQs that are accessible on the Attorney General's website at www.oag.ca.gov under the Sex Offender Registry program. Registrants may access this page by visiting the "Programs" area and then selecting the "Sex Offender Registry" link. Registrants should select the "Sex Offender Tiering" link to locate the FAQs.

If you have any questions, please contact the CSOR by phone at 916-210-3113 or by email at SB384@doj.ca.gov.

Sincerely,



JOE DOMINIC, Chief
California Justice Information Services Division

For XAVIER BECERRA
Attorney General