



California Department of Justice

What is the Impact of Tiered Sex Offender Registration on California Criminal Justice Agencies?

The transition to tiered sex offender registration in California will have a significant impact on criminal justice agencies. Large portions of the petitioning process have been mandated under the law as the responsibility of the registering agencies, District Attorney's Offices, and the courts. The following information will provide an overview of how your organization will be affected. We highly encourage your organization to have resources and an implementation plan prepared for this significant change to sex offender registration in California.

CA DOJ will be assigning the statutorily designated tiers for sex offender registrants and will be processing the petition outcomes as necessary

REGISTERING AGENCIES

- Beginning January 1, 2021, LEAs will provide tier notification letter to registrant upon request.
- Beginning July 1, 2021, LEAs must provide registrant proof of current registration.
- Petitions for relief from registration shall be served on the LEA where the petition is filed and on the LEA in the county of conviction.
- Within 60 days of receipt of the petition, the LEA shall report to the DA and court on whether the requirements for relief from registration have been met.
 - LEAs will enter receipt of petition into the California Sex and Arson Registry.
 - LEAs are required to determine petitioner's eligibility for relief from registration.
- If an offense which may require registration is identified by the LEA, which has not been previously assessed by CA DOJ, the LEA shall refer that conviction to the CA DOJ.
- The LEA shall report to the court and DA when an extension of time has been requested by CA DOJ to determine a tier designation based on a newly discovered offense.

SUPERIOR AND JUVENILE COURTS

- Beginning on July 1, 2021, courts will be accepting petitions from sex offender registrants.
- Beginning on July 1, 2021, courts will grant, deny, or dismiss petitions for relief from registration as a sex offender.
 - Courts shall set the time periods for filing new petitions for relief from registration (minimum of one year and a maximum of five years).
- Courts must notify the CA DOJ of the outcome of petitions for relief from registration and the time period for filing a new petition.

DISTRICT ATTORNEYS

- Petitions for relief from registration shall be served on the DA in the county where the petition is filed and in the county of conviction.
- The DA in the county of registration may request a hearing within 60 days if the petitioner has not met the requirements under PC 290(e) or if community safety would be significantly enhanced by continued registration.
- DAs will be working with their registering agencies to coordinate overall petition process.

For law enforcement FAQs, visit: <https://clew.doj.ca.gov/csor>

For registrant FAQs, visit: <https://oag.ca.gov/sex-offender-reg>



For additional questions regarding SB 384, please contact SB384@doj.ca.gov