

FLOOR ALERT

SB 384 PROVIDES A MORE EFFICIENT AND EFFECTIVE UTILIZATION OF THE SEX OFFENDER REGISTRY

California’s current sex offender registry program has been largely ineffective in protecting the public from potential sex offenses. In fact, according to data provided by the California Sex Offender Management Board (CASOMB [co-sponsor]), the registry has proven to be counterintuitive to public safety, an unnecessary obstacle to the rehabilitation of registered persons, and a drain on law enforcement personnel. SB 384 directly adopts the recommendations that CASOMB has made to the California State Legislature for over a half-decade.

REGISTRY IS CURRENTLY BLOATED WITH PERSONS DEEMED “LOW RISK” AND FIRST-TIME OFFENDERS

In their 2014 report, CASOMB found that 95% of sex crimes are committed by people who were never registered in the first place.¹ And regarding crimes committed against children, “[about 93%] are committed not by a stranger but by a person known to the child and his or her family, usually an acquaintance or family member.”¹ Furthermore, Doctors Hanson, Harris, Helmus, and Thornton—considered to be the foremost experts on sex offender behaviors—concluded in a 2014 report that “sexual offenders’ risk of serious and persistent sexual crime decreased the longer they had been sex offence-free in the community.”² California is one of only four states with a lifetime registry, with more than 100,000 persons currently registered.¹ According to the same study, the rate of recidivism drops to less than one percent (1%) per year when a registered person has remained offense-free for 10 years or more.² The study concludes that “intervention and monitoring resources should be concentrated in the first few years after release, with diminishing attention and concern for individuals who remain offense-free [sic] for substantial periods of time.”² SB 384 directly addresses these needs.

SB 384 ESTABLISHES TIERS BASED ON A REGISTERED PERSON’S INDIVIDUAL RISK ASSESSMENT

- **Tier 1** establishes registration for 10 years for misdemeanor or non-violent felonies.
- **Tier 2** requires registration for 20 years for more serious sex offenses.
- **Tier 3** continues **LIFETIME registration** for all high-risk offenders, sexually violent predators (SVPs), repeat offenders, child pornography offenders, rapists,
- **REMOVAL IS NOT AUTOMATIC.** Registered persons must petition the court at the end of their registration period, the District Attorney may request a hearing to oppose the petition, and the courts have discretion to deny removal.

SUPPORT	
<p>Los Angeles County District Attorney’s Office (co-sponsor) California Sex Offender Management Board (co-sponsor) California Coalition Against Sexual Assault (co-sponsor) Equality California (co-sponsor) Alameda County District Attorney Nancy O’Malley (co-sponsor) California Civil Liberties Advocacy (co-sponsor) American Civil Liberties Union Asian American Drug Abuse Program Association of Deputy District Attorneys Association of Los Angeles Deputy Sheriffs California Association of Code Enforcement Officers California College and University Police Chiefs Association California District Attorneys Association California Narcotics Officers Association California Police Chiefs Association</p>	<p>California State Association of Counties Lawyers’ Committee for Civil Rights in the San Francisco Bay Area Legal Services for Prisoners with Children Los Angeles County Professional Peace Officers Association Los Angeles County Police Protective League National Employment Law Project National Housing Law Project Riverside Sheriffs Association Voice for Progress Education Fund</p> <p style="text-align: center; font-weight: bold; font-size: 1.2em;"><u>NO KNOWN OPPOSITION</u></p>

¹ Cal. Sex Offender Management Board (CASOMB), A Better Path to Community Safety – Sex Offender Registration in California, “Tiering Background Paper,” (2014).
² Hanson, R. Karl, et. al., High Risk Sex Offender May Not Be High Risk Forever, (Oct. 2014) 29 J. of Interpersonal Violence, no. 15, at 2792-2813.