

CHAPTER 7
SEX OFFENDER REGISTRATION INFORMATION
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CHAPTER 7

SEX OFFENDER REGISTRATION INFORMATION

1. PURPOSE. The purpose of this chapter is to establish procedures for the release of sex offender registration information in a manner consistent with provisions enumerated in Section 290.45 of the California Penal Code (PC).

2. GENERAL.
 - a. With the passage of Assembly Bill 1562, Megan's Law, in 1996, the Department of Justice (DOJ) enhanced the Supervised Release File (SRF) and the Violent Crime Information Network (VCIN) to include sex registration information. The California Sex and Arson Registry (CSAR) has since replaced the VCIN.

 - b. The Department of Justice's California Law Enforcement Telecommunications System (CLETS) has been programmed to include a check of the Restraining Order System and the SRF/CSAR on a number of law enforcement inquiries. As a result, any driver license (DL) inquiry which is made by name, date of birth/age, and sex will automatically be routed to the following DOJ Criminal Justice Information Systems:
 - (1) Restraining Order System.
 - (2) The California Sex and Arson Registry/Supervised Release File.
 - (3) Wanted Persons System.
 - (4) Missing Persons System.

 - c. Although California Highway Patrol (CHP) officers will not routinely have reasons to believe that the subject of an enforcement stop, a person involved in a traffic collision, or an individual otherwise encountered is a registered sex offender, this information may be received as a result of a routine DL inquiry.

 - d. Although not required by statute, DOJ encourages law enforcement agencies to enter contact information on SRFs whenever possible.

3. AUTHORITY.
 - a. Section 290.45 PC allows any designated law enforcement entity to provide information to the public about a person required to register as a sex offender pursuant to Section 290 PC, by whatever means the entity deems appropriate,

when necessary to ensure public safety based upon information available to the entity concerning that specific person.

4. POLICY.

a. The Department may provide information to the public about a person required to register as a sex offender pursuant to Section 290 PC, when necessary to ensure public safety based upon information available to the Department concerning that specific person.

b. The Department may not post on an Internet website any information identifying an individual as a person required to register as a sex offender except as provided in Section 290.46 PC, unless there is an outstanding warrant for that person's arrest.

c. Commanders are encouraged to establish local procedures to document contact information on SRF files whenever possible. Commanders should coordinate with their respective communications centers to develop procedures.

d. Departmental personnel releasing sex offender information to the public shall complete a CHP 216, Arrest - Investigation Report, regarding the incident. The report shall be maintained at the Area office for five years.

5. PROCEDURES.

a. Contact with a registered sex offender could occur as a result of a routine traffic enforcement contact, a collision investigation, or in response to a crime-in-progress call. When a positive response is received from the SRF/CSAR, officers should determine if the information warrants release. A sample print-out received from a positive response is contained in Annex A.

b. Departmental personnel should consider the following when determining whether or not to release information.

(1) Category of registered sex offender.

(2) Location of contact, e.g., freeway, residential area, in vicinity of elementary school.

(3) Other passengers in vehicle, regardless of gender and age.

c. Officers shall obtain supervisory approval prior to releasing any information to the public.

d. Section 290.45 PC permits officers to disclose any or all of the following information:

- (1) Offender's name.
- (2) Known aliases.
- (3) Gender.
- (4) Race.
- (5) Physical description.
- (6) Photograph.
- (7) Date of birth.
- (8) Address (which shall be verified prior to publication or disclosure).
- (9) Description and license plate number of vehicle(s) the offender is known to drive.
- (10) Type of victim targeted by the offender.
- (11) Relevant parole or probation conditions.
- (12) Dates of crimes which resulted in registration.
- (13) Date of release from confinement.

e. When releasing information, departmental personnel must state that the purpose of the release of information is to allow members of the public to protect themselves and their children from sex offenders.

f. If possible, contact information should be entered into the comments section of the offender's SRF Contact Message Screen.

g. The Department may authorize persons and entities who receive this information to disclose information to additional persons only if the entity determines that disclosure to additional persons will enhance public safety and identifies the appropriate scope of further disclosure. This authorization does not include disclosure of this information by placement on an Internet website.

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ANNEX A

SAMPLE SUPERVISED RELEASE FILE PRINTOUTS

ATTACHMENT 1 - SUPERVISED RELEASE FILE REGISTRATION RECORD - FULL RESPONSE

Inquiry IR
QVC.CA0349401.NAM/RECORD,CALIFORNIA.SEX/M.DOB/101146

Response IR SUPV
CA0349401 QVC.CA0349401.NAM/RECORD,CALIFORNIA.SEX/M.
NOT A WARRANT SEX REGISTRANT RECORD **NOT A WARRANT**
DO NOT ARREST OR DETAIN BASED SOLELY ON THIS RESPONSE
KNOWN TO DOJ VIOLENT CRIME INFORMATION NETWORK
** SEX OFFENDER - INFO NOT FOR PUBLIC DISCLOSURE **
or ** SERIOUS SEX OFFENDER - INFO SUBJECT TO PUBLIC DISCLOSURE **
or ** HIGH RISK SEX OFFENDER - INFO SUBJECT TO PUBLIC DISCLOSURE **
ENT/1
NAM/RECORD,CALIFORNIA TEST SEX/M DOB/05051955 RAC/W HGT/602
WGT/225 EYE/BRO HAI/BRO OLN/A0025507.CA.1995 SPC526-32-4963
CII/A99000015 CDC/E111111 FBI/12345J990 OCA/1234RECORD
RESIDENCE: COUNTY/SACRAMENTO CITY/GALT
***** SEX REGISTRATION INFORMATION *****
** MAY BE REQUIRED TO REGISTER **
** MAY NOT BE IN COMPLIANCE WITH ANNUAL REGISTRATION UPDATE **
PRIMARY OFFENSE/261PC
DATE OF LAST REGISTRATION/12311994 DISCHARGE DATE/12312155
AKA/RECORD, OREGON TEST RECORD, WASHINGTON TEST
SCRS/MKS/TT/ART R ARM POB/MEXICO SKIN/BROWN
VEHICLE LIC/959VJO CA 1995 PC
VIN/1FABP10BALL12007 81 FORD MUS 2D BRO
AGENCY/SACRAMENTO POLICE DEPT ORI/CA0340100
CONTACT/TRUAX,GREG UNIT/REGISTRATION
PHONE/916 227-3262
MISC/SUBJECT HAS HISTORY OF LOITERING AROUND GRADE SCHOOLS
** MAY BE ADDITIONAL INFO FROM DOJ REGISTRATION UNIT AT 916 227-3288 **
*****CONTACT MESSAGE*****
NUMBER OF PRIOR CONTACT MESSAGES/ 2
SEND CONTACT MESSAGE IDENTIFYING CLETS MNE/SUPV
RECORD TYPE/SRG IDN/A99000015, OR ONLY FCN/1869409400004
***** END OF SUPERVISED RELEASE FILE MESSAGE *****

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