

<http://www.longislandpress.com/2010/01/13/farmingdale-sex-offender-housing-scrapped/>



**Current sex offender laws include mandatory registration for 121 different sex crimes. Predators convicted of one or many of those crimes must register as sex offenders. Convicted sex offenders are required to register for life.**



<http://www.theolivepress.es/wp-content/uploads/2009/04/jail2.jpg>

## Sex Offender Registration Requirements FAQs for California Residents

### **What California laws and codes govern the registration of sex offenders?**

California Penal Code Section 290 requires persons convicted of certain sexual offenses to register with the local law enforcement agency responsible for the area where they live. Some of those offenses eligible for registration include: rape, assault to commit rape, lewd or lascivious behavior with a child under 16, sexual molestation of a child under 18, statutory rape, and possession of child pornography.

### **Are juvenile sex offenders required to register?**

Juveniles convicted of certain sexual offenses are required to register as sex offenders upon release from the California Youth Authority. Those offenses include: rape, continuous sex abuse of a child, and abduction of a minor for prostitution.

### **When and how often is a sex offender required to register?**

Sex offenders are required to register within five days of release from prison, jail, a mental hospital, or when placed on probation. They are also required to update their information

within five days of changing residence *and* annually, within five days of their birthday. Some sex offenders must update more often: transients must update every thirty days and those deemed 'sexually violent predators' every ninety days.

### **How long is an offender required to register?**

California Penal Code Section 290 applies automatically to specific sex offenses (121 in total) and imposes on each person convicted of the same to a lifelong obligation to register. An offender may obtain relief from this duty by obtaining a Certificate of Rehabilitation ten years after release from custody (depending on the offense) or by obtaining a Governor's Pardon. Many offenses are not eligible to obtain a Certificate of Rehabilitation.

### **Who is a 'sexually violent predator'?**

A 'sexually violent predator' is a person who has been convicted of a criminal sexual offense and has been determined by the sentencing court to suffer from a mental abnormality or anti-social personality disorder which makes him likely to engage in predatory and sexually violent offenses.

### What happens if a violator fails to register?

There are various criminal penalties that apply to those who fail to comply with the sex offender registration requirements. In general, a person convicted of a felony sex offense who willfully violates the registration law is guilty of a felony. This felony is applicable to the California 'Three Strikes Law.' A person convicted of a misdemeanor sex offense who violates the registration law is guilty of a misdemeanor on the first violation. Subsequent convictions for violating the registration laws are felonies.

### What is Megan's Law and how does it apply to the sex offender registration requirements?

California's 'Megan's Law' was enacted in 1996, and allows local law enforcement agencies to notify the public about sex offender registrants found to be posing a risk to the public. Megan's Law also prohibits sex offender registrants from residing within 2000 feet of a school or park where children frequently play. The law also places employment restrictions on sex offender registrants. A registrant whose sex crime against a victim under the age of 16 is prohibited from working with minors as an employee or volunteer. If the registrant's crime was not against a victim under the age of 16, the registrant must notify the employer or volunteer organization of their status as a registrant. Failure to comply is a misdemeanor offense.

### What is Jessica's Law and how does it apply to the sex offender registration requirements?

Under Jessica's Law, all sex offenders are prohibited from residing within 2,000 feet of any school or park where children



<http://www.cocrecriminalbackgroundcheck.com/criminalbackgroundcheck/images/309002393.jpg>

congregate. It also mandates the supervision of 'High Risk Sex Offenders' by Global Positioning Satellite (GPS) for life and all sex offender parolees for the duration of their parole. As of January 2010, there are more than 7,000 sex offenders in California with GPS tracking devices.

### What are the main elements of the proposed Chelsea's Law and how will it affect registered sex offenders?

The main elements of Chelsea's Law as proposed on April 12, 2010, are:

- Life imprisonment without the possibility of parole for forcible sex crimes against children under 18 when 'aggravating circumstances' exist (i.e. physical harm, kidnapping, torture, and use of a weapon).

**Predatory johns, users who pay for sex with minors under age 18, and pimps of prostituted children aged 16 and 17 are not required to register as sex offenders under current sex offender laws. Many are never even prosecuted for their crimes. The Safe Border Community Project is exploring solutions, such as simple amendments to existing legislation, to correct this oversight.**

- For certain other sex crimes with no aggravating circumstances, penalties would double for certain sex crimes, depending on the age of the victim.
- Parole terms would be doubled to 10 years for a forcible sex crime, regardless of the age of the victim.
- Those convicted of a sex crime against a child under 14 would be on lifetime parole, including GPS tracking.

### What sex crimes are not currently qualified for registration as a sex offender?

'Predatory johns', users of prostituted children under age 18, and pimps of prostituted children aged 16 and 17 are not currently required to register as sex offenders. The Safe Border Community Project is exploring solutions, such as simple amendments to existing legislation, to correct this oversight.

## How does a person access sex offender registrant information?

The California Department of Justice maintains a website, [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov), that provides sex offender registrant information. The information available on this website includes information on the following convicted sex offenders:

**High-Risk Offenders:** These offenders have been convicted of multiple violent offenses. Information regarding high-risk sex offenders is subject to public disclosure and can be released to the public at risk or the entire community.

**Serious Sex Offender:** These offenders are those who have been convicted of felonies such as rape, assault with intent to commit rape, oral copulation or sodomy with a minor by force, penetration with a foreign object, and misdemeanor or felony child molestation. Information regarding serious sex offenders is subject to public disclosure and can be released to the public at risk.

Sex offenders whose information is not released to the public include those convicted of pornography, exhibitionism, spousal rape, incest, misdemeanor sexual battery or cases that have been adjudicated in juvenile court.

**There are currently 2697 registered sex offenders in San Diego County and 150 in Imperial County.**



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