

California Sex Offender Information Megan's Law



2006 and 2007 Report to the California Legislature

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June 2008

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Summary

With the enactment of California's Megan's Law in 1996, Californians gained access to information about sex offenders. This information was initially available only by personally visiting a local law enforcement agency to view information on a compact disc, or by calling a "900" toll number. In 2004, the California Legislature enacted a new law mandating that certain registered sex offenders be posted on a Megan's Law Internet site maintained by the Department of Justice (Chapter 745 (Assembly Bill 488), Statutes of 2004), enacting Penal Code section 290.46, effective September 24, 2004. In December 2004, the Department of Justice expanded public access to sex offender information by establishing the California Megan's Law Internet site. Pursuant to Penal Code sections 290.4(g) and 290.46(n), this report provides an overview of sex offender-related information and statistical data for 2006 and 2007.

Sex Offender Registration

In 1947, California became the first state to require the lifetime registration of specified convicted sex offenders. The registration process was virtually unchanged until the mid-1990s. Since then, a number of legislative mandates have reshaped California's sex offender registration requirements. These mandates called for sex offenders to update their registrations annually and to provide more detailed information as part of the registration process. Current sex offender registration requirements, as specified in Penal Code section 290 et seq., are designed to help law enforcement agencies be informed of the location or residence of sex offenders.

Upon release from a local jail, state prison, or completion of any alternative sentence, sex offenders are required to register within five working days of moving into any agency's jurisdiction and when they change their name or residence address. Sex offenders are also required to update their registration annually within five working days of their birthday

and certain sex offenders must comply with additional requirements. Sex offenders who have no residence address are considered “transient” and are required to update their registrations every 30 days. Those who have been designated as a “Sexually Violent Predator” by a California court are required to update their registration every 90 days. Persons convicted in a federal or military court, or in any court outside of California for sex offenses that would require registration in that jurisdiction, are required to register within five working days after entering California.

Megan’s Law Internet Site

The Megan’s Law Internet site is located at www.meganslaw.ca.gov. The Megan’s Law Internet site provides the public with information on more than 65,380 registered sex offenders in California, including the full addresses of more than 30,259 registered sex offenders. The sex offender registry is updated daily and therefore, these numbers change daily. On the Megan’s Law Internet site, sex offenders are statutorily divided into two display classifications. In accordance with Penal Code section 290.46, these display classifications are:

- **“Full Address”** – A sex offender in this classification will have his or her full residence address displayed, if the individual is not deemed to be a transient, is not incarcerated, or is not an offender who is deemed “unknown.” Generally, “Full Address” disclosure will occur if the offender has been convicted of any of the following:
 - Lewd conduct with a child under the age of 14;
 - A sex offense involving force or fear;
 - A designated sex crime with a prior or subsequent conviction for a sex crime that required registration; and/or
 - An offense resulting in commitment as a Sexually Violent Predator, as defined in Welfare and Institutions Code section 6600.

- **“ZIP Code Only”** – A sex offender in this classification will only be displayed by ZIP Code or area (i.e., city and/or county). These sex offenders are required to register and were convicted of an offense(s) subject to public disclosure, but not within the “Full Address” display classification.

Sex offenders who do not fall into either the “Full Address” or “ZIP Code Only” display classification are, by statute, not disclosed or displayed on the Megan’s Law Internet site and are designated as “No Post” sex offenders. These individuals are still required to register as sex offenders. In addition, the statute allows certain sex offenders to apply for and be granted exclusion from disclosure to the public. These individuals are designated as “excluded” sex offenders.

Users can search the Megan’s Law Internet site by name, address, city, ZIP Code, county, park, or school, which will result in a listing of individuals and/or a map display. Each sex offender profile on the Megan’s Law Internet site includes name, aliases, offender photograph (if available), age, gender, race, offense(s), physical description, and full address, if requirements are met for it to be displayed. A listing displays all Megan’s Law Internet site eligible sex offenders, including those who are incarcerated, transients, and those offenders in violation, whose locations may not be currently known. In addition, there is a check mark on the listing next to those sex offenders who are currently in violation of their registration requirements. To serve California’s diverse communities, the Megan’s Law Internet site is translated into the Arabic, Armenian, Cambodian, Chinese, English, Japanese, Korean, Portuguese, Punjabi, Russian, Spanish, Tagalog and Vietnamese languages. The informative and user-friendly nature of the Megan’s Law Internet site has made it very popular.

<u>Year</u>	<u>Megan’s Law Internet Site Users</u>	<u>Megan’s Law Internet Site Inquiries</u>
2006	7,887,318	140,668,114
2007	6,392,776	131,088,816

Public Reporting Feature

Each sex offender profile listed on the Megan’s Law Internet site includes a public reporting feature. Clicking on the “Report Information to DOJ” button causes a public reporting form to be displayed, allowing the user to report information about a registered sex offender, such as the location of an “in-violation” sex offender, directly to the Department of Justice. Each public reporting form is reviewed by the Department of Justice and either handled internally or forwarded to local law enforcement agencies for possible further investigation.

<u>Year</u>	<u>Public Reporting Forms Received and Reviewed</u>
2006	11,739
2007	10,067

Requests for Registered Sex Offender Information

The Department of Justice also maintains a mail-in, fee-based service for checking lists of names against the Megan’s Law Internet site to determine whether a person on the list is a registered sex offender. This service is often used by large employers, organizations, and businesses.

<u>Year</u>	<u>Requests Received</u>	<u>Individual Names</u>	<u>Possible Matches</u>
2006	525	28,049	62
2007	514	35,862	80

Law Enforcement Megan’s Law Intranet Application

In addition to providing the public with sex offender information via the Megan’s Law Internet site, the Department of Justice provides information about all persons required to register in California as sex offenders to law enforcement agencies, by way of a secure web-based application. The design and functionality of the law enforcement Intranet application mirrors that of the public site, but it also features an expanded, on-line search capability that responds to the investigative needs of law enforcement. An “LEA Search” function allows agencies to search the sex offender database using a variety of search

parameters, including display category (“Full Address”, “ZIP Code Only”, or “No Post/Excluded”), date of birth, Sexually Violent Predator designation, and other unique identifiers. The application also features a mapping capability similar to that of the public site. However, the law enforcement application allows law enforcement agencies to view on a map the locations of all registered sex offenders.

Another useful feature of the Megan’s Law Intranet Law Enforcement Application is the additional address file, which is designed to assist law enforcement agencies in locating and monitoring sex offenders. This file contains possible additional addresses for sex offenders. It is updated on a regular basis and local law enforcement agencies may routinely download the application directly from the Intranet. The possible additional address information is obtained through periodic searches of records maintained by the California Department of Motor Vehicles, Franchise Tax Board, Employment Development Department, the United States Social Security Administration, and the United States Postal Service. Addresses are also obtained quarterly through a commercial locator service that accesses public information sources, such as utility and financial companies.

The additional address file allows the law enforcement agency user to identify all sex offenders who are registered within a particular jurisdiction. These “investigative leads” are especially helpful when an agency is attempting to locate sex offenders who are in violation of their registration requirements.

Conclusion

The Department of Justice will continue to work to ensure that the Megan’s Law Internet site remains a valuable asset for law enforcement agencies and citizens who want easy access to information about sex offenders.