

# CALIFORNIA

## SEX OFFENDER MANAGEMENT BOARD

### Annual Report | 2021



CASOMB

In accordance with Penal Code Section 9001, subdivision (b), the membership of the board consist of:

**Kerry Ramos**

Deputy Attorney General  
Representing Office of the Attorney General

**Heather Bowlds**

Secretary of the Department of Corrections and  
Rehabilitation  
Representing the Division of Juvenile Justice

**Guillermo Viera Rosa**

Director of the Division of Adult Parole Operations  
Representing the Division of Adult Parole Operations

**Kimberly Nystrom-Geist**

Judge, Fresno County  
Representing California State Judges

**Deirdre D’Orazio**

Consulting Psychologist  
Representing the Department of State Hospitals

**Lauren Rauch**

Detective, Los Angeles Police Department  
Representing Law Enforcement with Registration and  
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**Fernando Giraldo**

Chief Probation Officer, Santa Cruz County  
Representing Chiefs of Probation

**Nancy E. O’Malley**

CASOMB Chair  
District Attorney, Alameda County  
Representing Prosecuting Attorneys

**Michelle Steinberger**

Division Manager, Ventura County Probation  
Representing Probation Officers

**Ellen Coleman**

Public Defender, Los Angeles County  
Representing Criminal Defense Attorneys

**Monica Nino**

County Administrator, Contra Costa County  
Representing County Chief Executive  
Officers

**Vacant**

City Manager, City of Paramount  
Representing City Managers

**Christina Bennett**

Licensed Marriage and Family Therapist  
Representing Mental Health Professionals

**Charles Flinton**

Forensic Psychologist  
Representing Mental Health Professionals

**Sandra Henriquez**

Chief Executive Officer, VALORUS  
Representing Experts in Sexual Assault  
Victim Advocacy

**Tina Rodriguez**

Representing Experts in Sexual Assault  
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The vision of CASOMB has always been to decrease sexual victimization and increase community safety. This is accomplished by addressing issues, concerns and problems related to management of adult sex offenders and by developing data driven recommendations, policies and protocols to improve policies and practices. Over the last fourteen years, CASOMB has identified ways to provide stronger safeguards and support individuals convicted of sex offenses to re-enter our communities successfully.

As with all of California and the world, the coronavirus, COVID-19, continues to have an impact on our society. Those providing treatment to individuals convicted of sex offenses have been challenged. Most, if not all programs have moved to virtual engagement for many of their clients.

In spite of the challenges of COVID-19, CASOMB has continued to meet monthly. We continue to work through Committees and each Committee continues the projects we as a Board, have identified. We continue to pay particular attention to focused research, as discussed below.

### **RACE, POWER AND PRIVILEGE**

In 2020, CASOMB gave important and necessary attention to issues regarding racial inequities in our society and the criminal justice system in particular. As such, CASOMB has made the commitment to include issues of race, power and privilege, as well as the impacts in justice, fairness, equity and equality throughout our work and our leadership. We are firmly committed to research-based decision and policy making. CASOMB engaged in our own self-reflection of policies and procedures we have enacted and we continue to be mindful of these important tenets of all of our work, as well as in the programs we oversee and certify.

### **RISK, NEEDS AND RESPONSIVITY**

CASOMB has adopted the evidenced based concept, Risk, Needs and Responsivity (RNR) that has been used with increasing success to assess and rehabilitate individuals in Canada and other parts of the world. The RNR model includes the risk principle that criminal behavior can be reliably predicted and focus should be on high-risk offenders; that the need principle addresses the importance of criminogenic needs in the design and delivery of treatment; and the responsivity principle addresses how treatment should be provided. CASOMB advocates that RNR is an evidence-based concept that should drive community supervision and treatment of individuals who have committed sex crimes.

## **JUVENILE JUSTICE CHANGES**

In 2021, two additional positions were added to CASOMB. Both positions require experience with and in treating juveniles who have offended, particularly committing sex crimes.

As of September 2020, juveniles who have been found to have committed sex offenses will no longer be placed in the Division of Juvenile Justice (DJJ). DJJ will be closed in June 2023 and DJJ is tasked with creating a Transition Plan. Instead, juveniles who have been found to have committed sex offenses will remain at the local Juvenile Halls, or a localized secure youth treatment facilities. The newly created Office of Youth and Community Restoration (OYCR) will support the transition.

In 2019, CASOMB released “Juvenile Recommendations” for the management and treatment of juveniles who have sexually offended. The Section of Juvenile Justice Changes will discuss these issues and the role of CASOMB moving forward and within the bounds of the newly created structures.

## **PROBATION REFORM**

On September 20, 2020, the Governor signed a law that included reforms to standard and current Probation practices. The new law changed the duration of probation terms for felony offenders from three years to two years; and changed the duration of probation for misdemeanors from three years to one year. The legislation did carve out exceptions to the new duration limits, which included convictions for domestic violence acknowledging the difficulty of domestic violence treatment completion for those convicted of misdemeanor domestic violence.

CASOMB has taken the position that it was an oversight to not exclude Sex Offender Treatment as one of the exemptions to the new duration rules. The law requires a person convicted of sex offenses to participate in a minimum of one year of certified Sex Offender Treatment. It is CASOMB’s position that the basis of the newly enacted Probation Reform is offense-based and not risk-based. Further, it does not allow for the extension beyond the maximum term to complete restitution or treatment.

Adopting the RNR principals, CASOMB recommends a change to the legislation to exclude registered sex offenders from the reduction of probation terms.

## **IMPLEMENTATION OF TIERED REGISTRATION**

As discussed above, sex offender registration has transitioned from lifetime registration for all individuals who have been convicted of sex offenses to a tiered registration system. While Senate Bill 384 was signed into law in 2018, it only took effect in July 2021. California Department of Justice was tasked with creating the databases and structure to identify those eligible for release from the requirement to register beyond the tier in which they now fall, as well as other structural changes necessary to carry out the law fairly, equitably and effectively.

An education video was created by the Board to help the public better understand California’s new tiered registration law. The video presents the information in language easily understandable to everyday people. The video was released in December 2021.

## **SEX TRAFFICKERS AND SEXUALLY EXPLOITED CHILDREN**

California remains a battleground against human sex trafficking. Every day on the streets or on the internet, women, girls and boys are being sold for sex. The criminal and exploitive transaction involving children or transition aged youth includes a trafficker (seller), the purchaser and the victim.

Through the passage of Proposition 35 in 2012, the voters overwhelmingly declared that human trafficking is a crime against humanity, and the level of exploitation of children is immeasurable. The law recognized the exploitive nature of the crime and declared that the crime of human trafficking exists even if the minor believes she or he is “choosing” to be bought and sold. This recognition is critical to combating human trafficking and holding traffickers and purchasers accountable under the law. However, it should be noted that the California Legislature has failed to recognize the crime of Human Trafficking as a “Violent” or “Serious” crime under the statutory law.

Under Penal Code Section 236.1, some but not all convicted sex traffickers are now required to register as sex offenders. This provision resulted in some sex traffickers to be subject to post-release supervision under California’s Containment Model. However, those convicted sex traffickers who do not have to register are not mandated to participate in specialized assessment and treatment.

CASOMB recommends that all convicted human sex traffickers be supervised under California’s Containment Model, irrespective of registration requirements.

### **RESEARCH ON DYNAMIC RISK**

CASOMB promotes empirically supported interventions and educates its stakeholders on current and relevant research about what works in managing and preventing sexual re-offense. Research is a key to understanding and assisting CASOMB stakeholders to maximally reduce the likelihood of sexual re-offending among California’s sexual offenders.

In 2020, CASOMB and SARATSO (State Authorized Risk Assessment Tools for Sex Offenders), joined together to provide significant research documents aimed at improving the efficacy of interventions with sex offending individuals.

### **CERTIFICATION AND COMPLAINTS**

A critical responsibility of CASOMB is to certify treatment providers and assure compliance with the Containment Model treatment protocols. In its 2020 Report, CASOMB provided a trend analysis of treatment provider certification, a review of problems identified during compliance reviews and complaints received by CASOMB. In response, CASOMB implemented the use of a “Supervision Agreement Form” for all providers not certified at the Independent level. The form is designed to identify the provider’s clinical supervisor for CASOMB and clarify the expectations for clinical supervision.

CASOMB has made a few structural changes in the levels of certification for providers and clinical supervision requirements. These are in addition to the requirement that all providers are mandated to follow the Business and Professions Code. Additionally, CASOMB reviewed Training requirements and made appropriate changes.

The new standards will become effective July 2022.

In 2020, CASOMB finalized the response to one (1) complaint. In 2021, CASOMB received two (2) complaints. One complaint is still in progress.

### **CONTAINMENT MODEL / RISK, NEEDS AND RESPONSIVITY**

The overarching goal of CASOMB is to advance the use of RNR in the Containment Model Team. A statewide survey of probation officers showed that in some counties, RNR principles such as risk levels, treatment duration and dosages were not being introduced into these meetings. The Containment Model Committee also addressed the impact of COVID on treatment.

Based on the survey, CASOMB created a “Best Practices” script that will be used to train others. This includes stronger collaboration between the Probation Officer, the Treatment Provider and the Polygraph Examiner. The script has been approved and will now be set for filming.

### **POLYGRAPH STANDARDS**

Polygraph examinations are part of the Containment Model treatment protocol. The Containment Model is a collaborative model. Post-Conviction Sex Offender Treatment (PCSOT) polygraph examinations are conducted to provide additional data about the examinee’s forthrightness in treatment and to determine compliance with supervision standards. The PCSOT guidelines were revised to clarify and update the current standards. Importantly, the standards were expanded to clarify if individuals are suitable, marginally suitable or not suitable for polygraph testing. The Section outlines the critical components of polygraph as well as its deviation from the current American Polygraph Association Standards. True to its commitment, CASOMB reviewed the impact of race, power and privilege on polygraph examinations. The initial review indicates that race, power and privilege do not impact the outcome of a polygraph examination. It is noted that no research was found to support or refute this stance. CASOMB may determine further investigation is warranted.

### **SEXUALLY VIOLENT PREDATOR ACT IMPLEMENTATION**

There are nearly 6,000 individuals in the five (5) psychiatric hospitals, including more than 900 individuals who have been identified as Sexually Violent Predators (SVP). There are sixteen (16) individuals in the Conditional Release Program (CONREP), which comprises roughly two percent (2%) of all CONREP placements in California.

CASOMB has identified four (4) areas of interest and further exploration. We have published on one (1) of those areas: SVP Detainee Status. CASOMB advocates for shortening the actual time between a Probable Cause judicial determination to the commitment trial should be shortened. Since publication of the above-reference publication, there has been a slight decrease in the number of detainees. CASOMB has identified proposed recommendations for improving the SVP process.

## **STATE AUTHORIZED RISK ASSESSMENT TOOLS FOR SEX OFFENDERS**

The State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) Committee is a separate State Committee that is integral and related to and aligned with CASOMB. However, SARATSO and CASOMB do have different statutory roles and mandates.

In 2006, SARATSO Committee was tasked with selecting reliable instruments for determining the risk of sexual re-offending for persons convicted of sexual offenses. The Committee retains experts at the top of their field—sex offender risk assessment – and is tasked with providing training to SARATSO-certified California trainers. The experts also provide advice and develop curriculum. SARATSO continues to advocate for funding for research and training tools.

SARATSO has given more attention to JSORRAT-II, the assessment tool for juvenile males. This is a particularly important focus for SARATSO. On July 1, 2021, the Department of Juvenile Justice has essentially stopped accepting juveniles, with limited exception, who have been found to have committed serious and violent crimes, which include sex offenses. The new process retains juveniles, who have been found to have committed sexual offenses, at their local Juvenile Justice Center (Juvenile Hall). Currently, SARATSO is sponsoring a recidivism study involving juvenile males using the JSORRAT-II.

In September 2021, the Static Development team released a new Static-99R and Static-2002R Evaluators Workbook, which contains 5-year and new 10-year recidivism estimates as well as projected 20-year estimates. The norms were strongly influenced by California data.

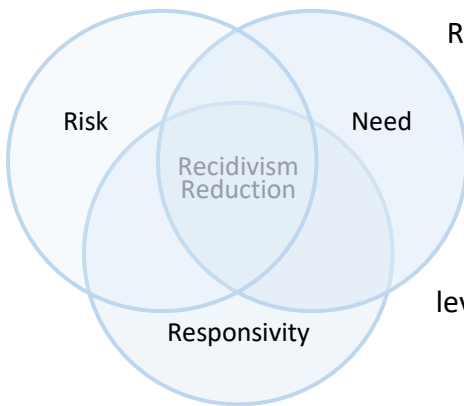
SARATSO has identified a research need regarding Inter-rater Reliability and Utility of the Stable2007 as a Measure of Criminogenic Needs.

SARATSO will continue to work with Probation Departments to obtain significant and critical data, including the number of offenders participating in sex offender treatment and the dynamic and violence risk assessments that should be completed.

SARATSO Committee has been vigilant in its responsibility during COVID. The trainings pivoted to virtual and they continue to gather the critical data as well as continue training those individuals who are tasked with administering assessments that are reported to the California Department of Justice.



## **Risk, Needs and Responsivity**



Risk Need and Responsivity (RNR) is an evidenced based concept that should drive community supervision and treatment of sexual offenders, as well as all others under county supervision or parole. Across the probation and parole field, there has been extensive training on RNR principles to guide supervision levels, treatment dosages and to match probationers and parolees with appropriate level of services. The following RNR principals must be utilized:

1. Risk principle. Match the level of service to the offender's risk of reoffending, based on static factors (e.g., age at first arrest, history of arrest, current age) and dynamic factors (e.g., substance abuse, antisocial attitudes). Higher-risk offenders should receive intervention that is more intensive.
2. Need principle. Assess criminogenic needs and target them in treatment. High-risk offenders should receive intensive treatment, while low-risk offenders should receive minimal or no treatment.
3. Responsivity principle. Maximize the offender's ability to learn from a rehabilitative intervention by providing cognitive behavioral treatment and tailoring the intervention to the learning style, motivation, abilities, and strengths of the offender.

## **Juvenile Justice Changes**

In September 2020, Governor Newsom signed Senate Bill (SB) 823 to close the Division of Juvenile Justice (DJJ) and youth facilities, shifting responsibility of justice-involved youth previously sent to DJJ to the counties. Accommodating these youth require counties to expand placement and treatment options. The state's new Office of Youth and Community Restoration (OYCR) will support this transition. In June of 2021, Governor Newsom signed SB 92 specifying that the closure date of DJJ will be June 30, 2023. In January of 2022, DJJ would be responsible to submit a transition plan for youth who cannot discharge prior to the closure date. Commencing July 1, 2021, this bill also allows counties to establish secure youth treatment facilities for youth who are 14 years of age or older who have been adjudicated and found to be a ward of the court based on an offense that would have resulted in a commitment to the DJJ.

In January of 2019, CASOMB released "Juvenile Recommendations" for the management and treatment of juveniles who have sexually offended. The report included a review of supervision and treatment needs, polygraph use and recommendations for registration of juveniles. A collaborative model of supervision and treatment was presented. Risk, needs, and responsivity were promoted

to guide supervision and treatment dosages. A need for standardized treatment for juveniles through the certification of treatment providers was highlighted. The use of the polygraph was limited to those age 16 and older, on rare occasions and for the promotion of community safety. The elimination of registration for those whose only offense was committed as a juvenile was endorsed.

CASOMB supported Assembly Bill (AB) 145, which was signed in June 2021. The bill expanded CASOMB's Board to include experts in treatment of juveniles who have sexually offended by establishing the following into statute;

Existing law establishes the California Sex Offender Management Board under the jurisdiction of the CDCR to address issues, concerns, and problems related to the community management of sex offenders. The board consists of 17 members, as specified.

This bill would add the Executive Director of the Office of Youth and Community Restoration within the California Health and Human Services Agency, or a designee who has expertise in the treatment or supervision of juvenile sex offenders, and a licensed mental health professional with experience treating juvenile sex offenders and who can represent those who provide evaluation and treatment for juvenile sex offenders, who would be appointed by the Speaker of the Assembly, to the board, bringing the total membership to 19.

CASOMB wanted to have AB 145 include the language from AB 2713, which was introduced during the 2019-2020 legislation session. Unfortunately, due to COVID-19 impacting and truncating the legislative cycle, AB 2713 was suspended. That would have required the Board to develop and update standards for the certification of professionals and management programs for juveniles who have been adjudicated of a sexual offense and would require those standards to be published on the Board's internet website. It would also require programs for juveniles who have been adjudicated of a sexual offense to be provided only by professionals certified by the Board. And finally, would extend the exemption from civil liability to certified professionals and programs that provide treatment or supervision to juveniles who have been adjudicated of a sexual offense. CASOMB recommends the inclusion of assessments in the placement and treatment process for juveniles who have been adjudicated of a sexual offense. Use of risk assessment tools to guide implementation of RNR is best practices. The State Authorized Risk Assessment Tools for Sex Offenders Committee is conducting research on the JSORRAT-II and juvenile recidivism (see page x for more details).

California is embarking on an important and significant shift in juvenile justice. CASOMB's 2019 "Juvenile Recommendations" report highlighted the importance of ensuring the appropriate treatment of juveniles. The closure of DJJ and the new program opportunities being developed at the local level provides an important opportunity to create standards for the treatment of youth adjudicated of a sexual offense.

- ***CASOMB strongly supports expanding the Board's authority to juveniles.***

## Probation Reform

Probation reform associated with reduced probation sentences has created confusion for those working with probationers required to register for sexual offenses. On September 30, 2020, Governor Newsom signed AB 1950, which was implemented on January 1, 2021. Prior to enactment of the bill probation terms were generally capped at 3 years for misdemeanors and 5 years for felonies. This bill amended Penal Code Sections 1203a which limited the probation term for misdemeanors to 1 year and 1203.1 which limited probation terms to 2 years for felonies. Analysis of the Bill, by David Billingsley, on May 28, 2020<sup>1</sup>, included the following statement:

*“Research by the California Budget & Policy Center shows that probation services, such as mental healthcare and addiction treatment, are most effective during the first 18 months of supervision. Research also indicates that providing increased supervision and services earlier reduces an individual’s likelihood to recidivate. A shorter term of probation, allowing for an increased emphasis on services, should lead to improved outcomes for both people on misdemeanor and felony probation while reducing the number of people on probation returning to incarceration.”*

The bill allowed for exclusions pursuant to Penal Code Sections 1203a (b) and 1203.1(m)(1) and (2), which includes:

- Violent felonies as defined in Penal Code Section 667.5(c)
- Thefts pursuant to Penal Code Sections 487(b)(3), 503, 532a if the total value of the property taken exceeds \$25,000 [PC 1203.1(m)(2)]
- Offenses with specific probation terms within its provisions, such as DUI pursuant to Vehicle Code Section 23600(b)(1) and Unauthorized computer access pursuant to Penal Code Section 1203.047
- Domestic violence offenses in which the victim is a person defined in Family Code Section 6211 pursuant to Penal Code Section 1203.097

The Assembly Public Safety Committee Analysis acknowledged the difficulty of domestic violence treatment completion for individuals convicted for domestic violence misdemeanors. Domestic violence perpetrators are required to complete 52 weeks of domestic violence treatment, which typically takes up to 18 months. CASOMB believes it was an oversight to not include an analysis of sex offender treatment and management requirements. The Containment Model for the community management of sex offenders is mandated pursuant to Penal Code Sections 290.09, 1203.067(b)(1) & (2), and 9003. These statutes order the offender’s participation in state certified sex offender treatment for not less than one year, with the requirement to participate in polygraph examinations.

Following the Risks-Needs-Responsivity (RNR) principal is the foundation of evidenced-based treatment and supervision for individuals who have committed a sexual offense. Risk assessment is

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<sup>1</sup> David Billingsley, Assembly Committee on Public Safety analysis of Assembly Bill No. 1950 (2019-2020 Reg. Sess.)

an integral initial step in RNR. State Authorized Risk Assessments Tools on Sex Offenders are mandated pursuant to Penal Code Section 1203(b)(2)(C) and 9003. Per SARATSO policy, treatment providers in the community score dynamic and violence risk instruments within 30-60 days of an offender's enrollment in treatment in the community. The combined static-dynamic risk assessments informs intensity and dosage of treatment and supervision, identifies targets of treatment, and informs supervision strategies. Intensity and dosage of treatment, as well as treatment completion are based on the RNR principal. Though intensity of treatment may be increased, which would allow for more treatment sessions in a shorter window, this can create other problems. Some offenders on probation struggle with the cost, adding more sessions into a shorter time-frame may be cost prohibitive for those individuals. Likewise, it would increase the therapist's workload and demand for therapists.

Sex offender specific treatment is not simply a psychoeducation model in which offenders passively take in information. The most effective treatment allows time for the implementation of new skills and the opportunity to work through the struggles of behavior change, emotional management, and sexual behavior management. The first 2-3 months of treatment often involve the process of breaking down an offender's resistance and engaging them in treatment. The time needed to complete these goals will vary from offender to offender, as the individualized risk, need and responsivity factors are identified. Any custody time imposed can further decrease the amount of time allowed to complete treatment, which is counterproductive. Lack of compliance with supervision and treatment is a risk factor, and individuals who receive violations are likely to need additional time in treatment. AB1950 overlooks additional factors which promote community safety, such as victim reunification which is often started when the offender is in the later stages of treatment. Short probation terms will truncate this process.

AB1950 is offense-based and not risk-based, it does not permit extension beyond the maximum term to complete restitution or treatment. The period of probation supervision is not adjusted due to any custody time for serving sentences or for violations of probation. This means that an individual is sentenced to two years of probation, but spends six months in custody, they now have 1.5 years on probation. Some of the offenders identified as high risk through risk assessments are granted release from probation after 1-2 years, without completing treatment.

The oversight by this bill for registered sex offenders on probation should be addressed. The bill should mirror the exclusion provided for perpetrators of domestic violence. This would permit implementation of risks-needs-responsivity, for sex offenders who fall within the provisions of Containment Model supervision pursuant to Penal Code Sections 290.09, 1203.067(b)(1) & (2), and 9003.

- ***CASOMB recommends a change to legislation that exclude registered sex offenders from reduction of probation sentences, pursuant to AB1950.***

## Implementation of Tiered Registration: Senate Bill 384 and Department of Justice Updates

As a result of Senate Bill (SB) 384, sex offender registration has now transitioned from a lifetime registration system to a tiered registration system. As of July 1, 2021, eligible registrants are now able to petition for termination from the duty to register as sex offenders on or after their next birthday following July 1, 2021. As a result of this, the California Department of Justice (DOJ) has diligently worked to ensure that the California Sex Offender Registry is sufficiently staffed to handle the increase in terminations that result from granted petitions. In 2021, DOJ filled twenty-two positions to assist with terminations.

In addition to increasing staffing to assist with the SB 384 workload, DOJ has made several technological updates to support local law enforcement, the District Attorney's Offices and the courts as they transition to tiered registration. DOJ has finalized updates related to petitions for termination in the California Sex and Arson Registry (CSAR) to assist law enforcement agencies and District Attorney's Offices, who are statutorily mandated to handle the petition process. Additionally, DOJ has been making technological updates related to the Megan's Law website.

Beginning January 1, 2022, the Megan's Law website will reflect changes pursuant to SB 384. These changes include the elimination of certain exclusion criteria under Penal Code section 290.46, subdivision (d), as amended by SB 384. Exclusion indicates when a registrant's information is not available to the public on the Megan's Law website. DOJ will attempt to notify registrants who no longer meet the exclusion criteria prior to re-posting their information on the Megan's Law website. Tier designations will not be posted on the Megan's Law website.

### *Tiered Registration Education Video*

An education video was created by the Board to help the public better understand California's new tiered registration law. The video highlighted key components of the legislation which was presented in language easily understandable to everyday people. Experts were interviewed to further explain key concepts. The video was released in December 2021.

## Sex Traffickers and Sexually Exploited Children

California remains a battleground against human sex trafficking. During January of 2021, an operation nicknamed **Los Angels** resulted in the recovery of 33 missing children. This Los Angeles-based operation involved the teamwork of the Federal Bureau of Investigation (FBI), the Los Angeles Police Department, the Los Angeles County Sheriff's Department and multiple law enforcement and non-

governmental partners.<sup>2</sup> Kristi K. Johnson, assistant director in charge of the FBI's Los Angeles field office commented that, "The FBI considers human trafficking modern day slavery and the minors engaged in commercial sex trafficking are considered victims."<sup>3</sup> A statewide operation targeting human trafficking, ***Operation Reclaim and Rebuild***, involved 100 federal, state and local law enforcement agents. This weeklong operation in early 2021 resulted in 450 arrests and the rescue of 39 victims, 13 of whom were identified as children. This same operation in 2020 resulted in 518 arrests and the rescue of 87 victims.<sup>4</sup>

Proposition 35 (2012), also known as the ***Californians Against Sexual Exploitation Act***, specifically targeted human sex traffickers and included the provision that certain convicted sex traffickers are required to register as sex offenders. This provision caused some convicted sex traffickers to be subject to post-release supervision under California's Containment Model. California's Containment Model established a three-pronged collaboration between supervision entities, treatment providers and polygraph examiners for the management of sex offenders. The focus of the Containment Model was to identify offender-specific treatment and work to prevent recidivism among those offenders.

Unfortunately, not all human trafficking-based offenses require sex offender registration upon conviction. A human trafficker convicted of an offense not requiring sex offender registration is not mandated to be supervised under California's Containment Model and therefore is not subject to specialized assessment and treatment. Consequently, these traffickers will not have access to the level of service and supervision that is needed to change their behavior.

***In order to address the needs of this population, the California Sex Offender Management Board recommends that all identified human sex traffickers be supervised under California's Containment Model, regardless of any sex offender registration requirement. The Board also recommends that a sex trafficker component be included in the Containment Model Training received by parole agents and probation officers.***

Additional benefit would be provided to supervision agents by both receiving sex trafficker-related training from their own agencies and attending sex trafficker-related training that is provided by various entities across California.

The Board stands by the position provided in the Board's Annual Report for 2020 that specialized assessment and treatment should be conducted on adults who have been charged or convicted of human sex trafficking. Additionally, the Board re-stipulates the trafficker-related recommendations from their Annual Report for 2020:

1. If the individual's only sexual offense is for sex trafficking that is financially motivated, the

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<sup>2</sup> **33 missing kids recovered in joint Los Angeles-based operation combatting human trafficking** – Fox 11 Los Angeles, January 22, 2021

<sup>3</sup> **Ibid.**

<sup>4</sup> **450 held, dozens rescued in California trafficking crackdown** – AP News, February 5, 2021.

Static-99R and STABLE-2007 should not automatically be used to estimate sexual offense recidivism (a trained evaluator should determine if the person is eligible to be scored on the Static-99R or STABLE-2007).

2. The individual's risk for violent recidivism should be evaluated using the LS/CMI.
3. The individual should be assessed for psychopathy, using the Psychopathy Checklist-Revised (PCL-R) or similar instrument.
4. Individuals with sex trafficking related offenses should be in separate treatment groups from individuals with no sex trafficking offenses.
5. Treatment should focus on the unique criminogenic needs of the sex trafficker.
6. A gender-responsive approach should be used when evaluating a female sex trafficker.

### **Research on Dynamic Risk**

CASOMB promotes empirically supported interventions and educates its stakeholders on current and relevant research about what works in managing and preventing sexual re-offense. That is, "What can CASOMB stakeholders do to maximally reduce the likelihood of sexual re-offense among California sexual offenders?"

Last year CASOMB, in cooperation with SARATSO, began a research project aimed at improving the efficacy of interventions with sexual offending individuals in California. The project is comprised of two separate research studies: 1) Inter-rater Reliability and Utility of the Stable2007 as a Measure of Criminogenic Needs (described in the SARATSO section); 2) Treatment Progress in Male Sexual Offending Individuals

These projects will shed light on the usefulness of the CASOMB and SARATSO standards for treatment providers of sexual offending individuals on probation or parole. California requires treatment providers to use the Stable-2007 to identify sexual offending individual's criminogenic needs and, in combination with the Static-99R, risk for sexual re-offense. The Static-99R and the Stable 2007 are commonly used for these purposes nationally and internationally.

#### *Treatment Progress in Male Sexual Offending Individuals*

This study examines the efficacy of CASOMB certified treatment programs in facilitating change in the risk factors of sexual offending individuals. It does this by examining the usefulness of the Stable-2007 at detecting change in individuals convicted of sex crimes that are treated in CASOMB certified treatment programs. After identifying each individual's treatment needs through an initial Stable-2007 assessment, treatment programs target the criminogenic needs represented by those tool items with elevations. The individual's improvement is expected to result in lower ratings later in treatment than at the initial rating. This project will identify the degree to which this change actually occurs.

The results of this study will provide practical information on the degree that those treated actually change and inform service delivery improvements.

## **Certification and Complaints**

CASOMB's 2020 Year-End Report included a trend analysis of treatment provider certification, a review of problems identified during compliance reviews and complaints received by CASOMB. In relation to problems identified starting July of 2021 CASOMB implemented the use of a Supervision Agreement Form, for all providers not certified at the Independent Level. The form is intended to identify the provider's clinical supervisor for CASOMB and clarify the expectations for clinical supervision.



A review of certification requirements was undertaken by CASOMB and amended standards for certification have been approved by the Board. Currently treatment providers are placed in one of three treatment provider levels, apprentice, associate, or independent. The new standards maintain 3 levels, but have re-named them student, associate, and independent. The student level will restrict certification for students to one year. The new organization of levels places more emphasis on supervision and oversight with students, and various levels of mentoring through co-facilitation for associates and students, and a higher experience standard for reaching independent status. It also requires a minimum of one year of experience before an individual meets the qualification for independent status.

Another goal of the certification changes was a simplification of the clinical supervision requirements for associates and students. In addition to following CASOMB's certification standard all treatment providers are required to follow the Business and Professional Codes for professional licensing. The current standards use a complicated points system to identify the number of supervisees. Per CASOMB's requirements, a licensed professional new to this specialty and a student new to the field have the same high level of clinical supervision requirements and oversight, regardless of their experience. The number of supervisees will no longer be based on a point system, but will be based on the number of individuals supervised. The changes in supervision requirements allow the clinical supervisor to flex the clinical supervision to more easily meet licensing board requirements, and the individual needs of the supervisee.

The current certification requirements allowed someone who is licensed and has as little as 3 months of specialized experience working with sex offenders, to supervise those that are new to the field. The new standards increase the level of experience requirement for providing sex offender treatment services, so that it will take closer to a year, before a licensed individual may qualify for independent status. Only independent provider can provide clinical supervisor. This ensures that the individual is



not practicing outside their scope of expertise when supervising others and serving as directors for sex offender treatment program.

Training requirements were also reviewed, based on the types of trainings submitted to CASOMB during the application process. The total number of training hours for both the associate level and independent level have slightly decreased, but has placed greater emphasis on required hours being sex offender specific in nature. Additional training hours are encouraged and CASOMB recognizes it is important for treatment providers to gain experience and knowledge in topics that will affect their assessment and treatment, which may not be sex offender specific.

The new standards will take effect July of 2022. Providers have been given almost a year notice regarding changes to the Student level and more than six months' notice regarding changes to the associate and independent levels. Prior to the change in July of 2022, CASOMB will notify treatment providers of any changes to their current status. Students, who have been certified for less than a year will be notified of their status change and the requirement to prove their status as student in a formal training program to maintain their student status. Some providers currently certified as apprentices, will be moved to the associate level. If an individual would like to matriculate to independent, they will be required to submit an application for matriculation. Changes to individuals currently on the independent level are not anticipated. Additionally, CASOMB will not conduct compliance reviews on the new requirements until after January of 2023, at which time providers and agencies are expected to be in full compliance. If an agency is unable to comply for some reason, they must contact CASOMB prior to July of 2022 to request an extension on implementing the new requirements.

### *Complaints*

CASOMB finalized the response to one complaint from 2020 and received two new complaints during the 2021 year. The complaints were associated with supervisors exceeding the number of individuals they can supervise, and an agency not following treatment completion guidelines. While one complaint is still in process all other complaints have been resolved.

## **Containment Model/Risk Needs and Responsivity**

After reviewing the results of a state-wide survey of probation departments and treatment providers regarding the use of the Risks-Needs-Responsivity (RNR) principles in the containment model, it was determined that a goal of the Board would be to advance the use of RNR in the containment model team. The survey showed there were differences across counties as to how RNR principles were built into containment model meetings and the extent to which they were used to inform treatment dosage, duration, and goals. The survey revealed that in some counties RNR

principles such as, risk levels, treatment duration and dosage were not being introduced into these meetings and were either not discussed, shared, or informed treatment goals and progress.

Based on the findings of the survey, and rich discussion, these next steps and goals were identified:

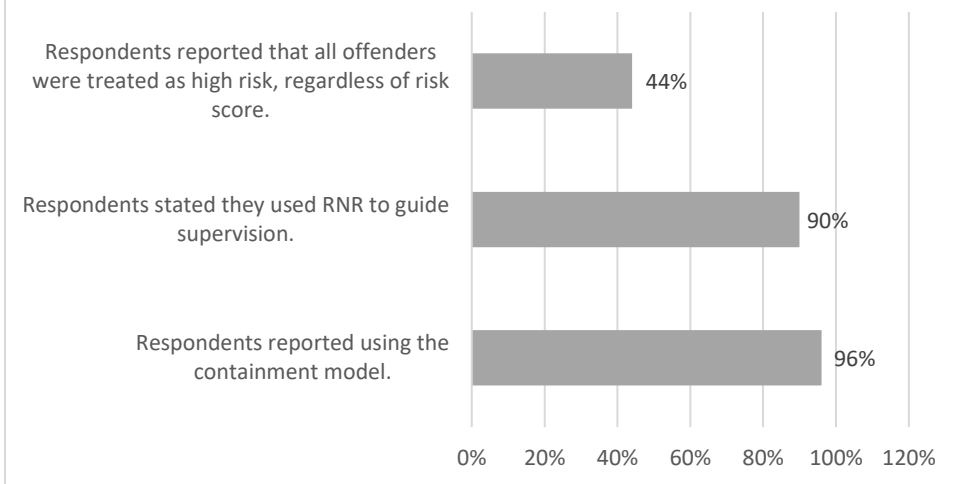
- Need to have better collaboration with probation and treatment providers so that the correlation between supervision and the intensity and dosage of treatment is consistent with RNR principals.
- There is a difference between rural and urban probation, and the way offenders are separated. There are some providers who mix probation and parole in their groups, and others that will separate them, dependent on available resources. Treatment providers should avoid mixing low risk and high risk offenders.
- Create best practices guide for RNR.
- There are barriers to implementing RNR due to therapists not having prior training on how to interact with law enforcement.
- There is a need to move forward with a combined Containment Model Training with treatment providers and probation.
- Develop a Containment Model Meeting Demo for training purposes- script and record a mock containment meeting so that providers and probation can have access to a short training video.
- Incorporate RNR principles into the dialogue.

The containment model committee has also discussed other issues, including how COVID-19 has impacted treatment. For instance, in some cases, attendance and engagement increased through virtual meetings. It was also noted that identifying a lead person to organize and send out invitations to meetings helped increase participation.

### *Summary of Survey Results*

In February of 2021, a Risk Needs and Responsivity Survey was sent to all probation departments in California. Ninety-six percent (96%) of respondents reported using the containment model. Ninety percent (90%) of respondents stated they used RNR to guide supervision. Questions about how risk assessment scores were used to determine dosage level of services, surfaced across different counties. Forty-four percent (44%) of respondents reported that all offenders were treated as high risk, regardless of risk score. This is worth noting because that practice is not aligned with RNR.

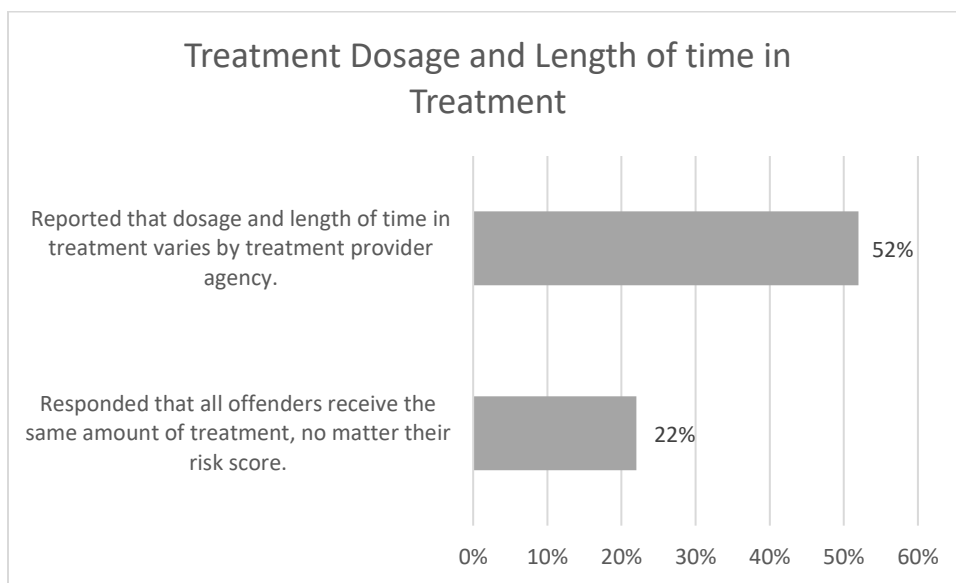
### Risk Needs and Responsivity Survey Results



The survey also gathered information about communication between containment model team members and how the results of static and dynamic risk tools were shared and used to inform treatment. It was evident that not all respondents utilized individual scores or combined scores of the Static 99R and the STABLE -2007 to determine intensity of supervision.

There were also inconsistencies in how risk instruments were used to determine treatment dosage and length of time in treatment. Twenty-two percent (22%) responded that all offenders receive the same amount of treatment, no matter their risk score and fifty-two percent (52%) reported that dosage and length of time in treatment varies by treatment provider agency.

### Treatment Dosage and Length of time in Treatment

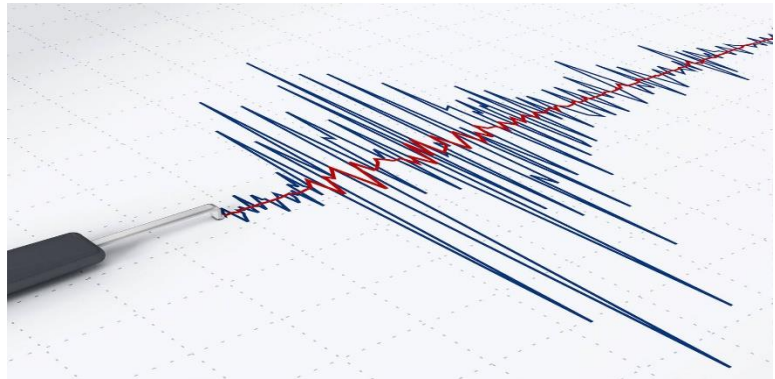


## *Containment Model Script and Scenario*

With the knowledge that collaboration and utilization of RNR in containment model meetings is not consistent across sites, a best practices script has been developed that will be used to train others. In the scenario the Probation Officer, Treatment Provider and Polygraph Examiner will be filmed as they model appropriate information sharing and use of RNR principles which include dosage, duration of treatment and treatment goals. The script also includes risk assessment scores and demonstrates how they drive treatment and supervision levels. The scenario was developed and approved, and the next steps will be to film the scenario and then use it for trainings.

### **Polygraph Standards**

The polygraph examination is one of the components of the Containment Model. The containment model is a collaborative model which includes the supervision and treatment of individuals who have committed a sexual offense. Post-Conviction Sex Offender Treatment (PCSOT) polygraph examinations are conducted to provide additional data about the examinee's forthrightness in treatment and to determine compliance with supervision standards that are directly associated with factors that were present during the sexual offense.



The PCSOT Polygraph Standards were revised to clarify and update the current standards. The suitability standards were expanded to provide clarity to which individuals are suitable, marginally suitable or not suitable for polygraph testing. The standards did not specify that some individuals may be marginally suitable. The practice in the field is to refer almost all individuals for polygraph examination and defer suitability to the polygraph examiner. The revised standards clarify that some individuals may be considered marginally suitable, which means that the results should be viewed with caution as they may not be valid. Individuals may be marginally suitable due to medications they take, medical conditions, mental health or developmental limitations. The updated standards indicate that the containment team, should determine suitability on a case-by-case basis for individuals with a diagnosed developmental disorder. The revised suitability standards can be used by treatment providers to actively participate in the decision-making process about suitability associated with mental illness, and development disorders.

In order to address the quality of polygraphs administered by new polygraph examiners, the Board chose to deviate from current American Polygraph Associate Standards, which eliminated the need for initial polygraph examinations to be reviewed by a supervisor or mentor. The Board adopted

standards that the first 25 post-conviction sex offender polygraph examinations be reviewed by a supervisor or mentor, before the examiner can operate independently.

The impact of race, power and privilege on polygraph examinations were reviewed. Initial reports indicate that race or privilege of the examiner does not impact the outcome of the polygraph examinations. However, no research was found to support or refute this stance. This topic may need further investigation.

The RNR principal as applied to polygraph examinations within the context of the containment model is being explored by the Board. Initial discussions have highlighted that polygraph examinations are administered at a fairly standard interval, once every six months, and may be increased in frequency. Increases are often associated with denial, or significant responses to specific polygraph examinations. It is unclear the degree to which an individual's level of risk is taken into consideration when determining the frequency and type of polygraph examination. The Board will continue to explore the implementation of RNR for PCSOT examinations to inform best practices.

### **Sexually Violent Predator Act Implementation**

Across state hospital system there are nearly 6,000 individuals in the five psychiatric hospitals, including more than 900 individuals pursuant to the Sexually Violent Predator law. There are 16 SVP individuals in the Conditional Release Program (CONREP) which comprises roughly two percent (2%) of all CONREP placements in the state.

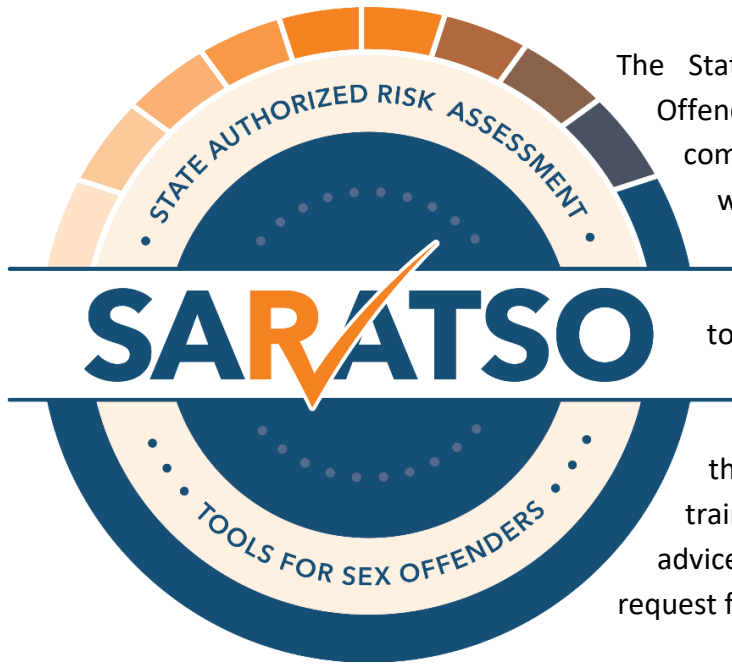
Last year CASOMB published a paper outlining four areas of interest and future exploration in the SVP program and published its report on one of the areas: The Duration of SVP Detainee Status. CASOMB is currently progressing toward completion of the paper on SVP CONREP housing and community placement issues.

CASOMB makes known its stance that the duration of detainee status for individuals with sexual offenses subjected to civil commitment proceedings is excessive and problematic, wasting state resources, and undermining the efficacy of SVP as an intervention to enhance community safety. The duration from the Probable Cause judicial determination to the commitment trial as short as possible, and practices that unnecessarily extend the trial beyond two years should be tightened. Requirements for the use of "good cause" continuances should be strengthened to mitigate the problem of lengthy duration of detainee status. These actions are needed so that those who meet SVP criteria will be more quickly committed, and those that do not meet commitment criteria will be more quickly released, and with more parole time remaining to assist their community reintegration. Shortening the duration of detainee status will increase the treatment completion rate, the quality of treatment engagement, and the therapeutic milieu in the SVP Sexual Offense Treatment Program. CASOMB is pleased to report that since publishing the Detainee paper, consistent with our

recommendations, there has been a slight decrease in the number of detainees. Currently detainees represent forty-three (43%) and fully committed individuals represent fifty-seven (57%) of the population at DSH pursuant to the SVP law.

CASOMB further recommends the DSH SVP Program create and implement a means for tracking detainee duration, duration of treatment modules, and treatment advancement. Research should occur that determines the difference in re-offense rates between 1) those evaluated as not meeting SVP criteria, 2) Detainees released having never been found to meet the SVP criteria Beyond a Reasonable Doubt and 3) fully committed SVPs released having been determined to no longer meet the criteria. This past year CASOMB received a presentation on the recidivism rate of individuals released from DSH pursuant to the SVP. However, the research did not track those released as detainees versus fully committed; this is recommended.

## State Authorized Risk Assessment Tools for Sex Offenders



The State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) Committee is a separate state committee that is integral to, related to, and aligned with CASOMB. Nevertheless, each have separate roles and statutory mandates. The SARATSO Committee was established in California in 2006 to select reliable instruments for determining the risk of sexual re-offense for persons convicted of a sexual offense. The Committee retains experts at the top of their field, sex offender risk assessment, to train SARATSO-certified California trainers, provide advice, and develop curriculum. SARATSO continues to request funding for research and training needs.

### Training

The SARATSO Review Committee selected the Static-99R for adult males and JSORRAT-II for juvenile males to predict risk of sexual re-offense; the STABLE-2007/ACUTE-2007 to assess dynamic risk factors related to sexual re-offense for adult males; and the Level of Services/Case Management Inventory (LS/CMI) for assessing violence potential. All scorers and trainers must pass an initial training and then be recertified every two years on the instrument(s) they use. Many departments and agencies rotate staff through different positions or hire new staff, which requires ongoing training. In addition to providing training on how to score the instruments, SARATSO also certifies trainers.

Due to the COVID-19 pandemic SARATSO continued to hold live web-based trainings for all of its risk instruments. In 2021, SARATSO hosted 28 trainings. SARATSO certified trainers conducted 68 agency-hosted trainings in 2021, compared to 28 trainings in 2020.

SARATSO also hosts Containment Model Trainings, which provide an overview of applying the containment model to sexual offender management and treatment. During 2021, SARATSO hosted two (2) virtual training to supervising officers and agents. The trainings accommodated nearly 200 individuals. As noted in prior years, cross-training of risk assessment tools is one of the areas emphasized in the training. This emphasis guides implementation of the evidenced-based practice of the Risks-Needs-Responsivity principals.

## **Juvenile Justice Realignment**

Commencing July of 2021, CDCR's Department of Juvenile Justice (DJJ) stopped accepting referrals, with the exception of juveniles who are eligible to be tried as adults. Rather than being committed to DJJ, juveniles are being supervised in their county of residence. This shift impacts Penal Code section 290.04 and Welfare & Institutions Code section 706, which requires that juveniles who have committed a sexual offense and are referred to DJJ, must be scored on an actuarial risk instrument, the Juvenile Sex Offender Rapid Risk Assessment Tool-II (JSORRAT-II). The scores were then submitted to the Department of Justice (DOJ). In most cases, the JSORRAT-II will no longer be required to be scored by county probation departments during the adjudication process. Best practices continue to recommend the use of the JSORRAT-II or a similarly cross validated actuarial sex offender risk instrument be used to assess male juveniles.

## **Updated Static-99R Recidivism Estimates**

In September 2021 the Static Development team released, a new Static-99R and Static-2002R Evaluators' Workbook. The Evaluators' Workbook, contains updated 5-year and new 10-year recidivism estimates, as well as projected 20-year estimates ("lifetime rates"). These norms were strongly influenced by CA data including previous studies conducted by SARATSO and DOJ in coordination with Static-99R subject matter experts.

## **Research**

### *Inter-rater Reliability and Utility of the Stable2007 as a Measure of Criminogenic Needs*

Risk assessment tools like the Stable 2007 are useful in helping make predictions about the likelihood of sexual re-offense in a given individual. It provides a scientific method of estimating the likelihood of sexual re-offense. The Stable 2007 tool "works" by summing the number of points the person gets on items, which operationalize empirical risk factors. The individual's total score is then compared on the tool norms to make conclusions like, "Twenty-one out of 100 sexual offending individuals with the same score as Mr. X on the Stable 2007 sexually reoffended over a five-year period." Irrespective of how good a tool is at detecting recidivism, if those that administer the tool do not use it accurately, the results will not be accurate. This study assesses the accuracy of Stable 2007 tool users. *Just how good are California Stable 2007 users at making ratings?* By next year we plan to have an answer to this question.

This study uses a unique inter-rater design, involving a video recording of a real individual convicted of sexual offending. This method better simulates field use than other rater reliability studies, which typically use written case vignettes. The results will be used to enhance our training of professionals



that treat sexual offending individuals in California. They will contribute to the international body of research on risk assessment.

### *Juvenile Recidivism Project*

A SARATSO-sponsored recidivism study is in progress on the JSORRAT-II. The JSORRAT-II, has been validated in Utah and Iowa, and is the actuarial tool selected by SARATSO to assess sex offense recidivism of juvenile males who have offended sexually. The study will analyze the validity of the JSORRAT-II on a California population. The study will determine recidivism rates of juvenile males released from CDCR's Department of Juvenile Justice over a 10 year-period. Over 700 files have been reviewed for inclusion in the study. Results of this research project should be available during the summer of 2022.

### **Risk Assessment Score Submission**

The SARATSO risk instrument scores must be submitted to the Department of Justice (DOJ). DOJ shares the submission rates with the SARATSO Review Committee annually. In 2020, the score submission rate for the Static-99R was ninety-eight percent (98%) for county probation departments. Through an effort of ongoing communication, training and accountability, probation departments' awareness and compliance with this mandate has consistently increased each year.

Score submission for the dynamic (STABLE-2007) and violence (LS/CMI) risk instruments are more difficult to track due to the constantly fluctuating numbers of offenders participating in sex offender treatment in the community. SARATSO requests data from county probation and state parole to help track the number of dynamic and violence risk assessments that should be completed. SARATSO received data from 51 county probation departments and parole for the 2020 year. For the 2019 data, SARATSO requested the number of registered sex offenders on probation or parole and in treatment at any point during the year. This created some inconsistencies in numbers. For the 2020 data, SARATSO requested the total number of registered sex offenders on probation or parole at any time during the year, and a point in time count of the total number of registered sex offenders in treatment as of December 31, 2020. During 2020, 7,483 registered sex offenders were supervised by parole, and as of December 31, 2020, 6,579 were enrolled in sex offender treatment. Based on the data that was submitted for 2019, over 5,200 probationers and over 970 on Post-Release Community Supervision (PRCS) were supervised for a sexual offense. This number decreased in 2020 to approximately 4,000 probationers and 850 on PRCS. It is hypothesized that the COVID-19 pandemic and its impact on the court process significantly contributed to this decline. Of those on probation and PRCS, approximately fifty-four percent (54 %) were enrolled in treatment at the point in time count on December 31, 2020. The counties provided explanations as to why some offenders were not enrolled in treatment as of December 30, 2020. Five percent (5%) were no longer on supervision, sixteen percent (16%) had completed treatment, 37% were impacted by

COVID-19 (though it was not clear if this was due to illness or lack of services), five percent (5%) were indigent or could not pay for treatment services, four percent (4%) were new to probation or had not yet started treatment, four percent (4%) were not court ordered to attend treatment, seven percent (7%) were in custody, nine percent (9%) had absconded.

The total number of Stable-2007 scores received by DOJ in 2019 was 8,121, while the total number received in 2020 was 7,761. DOJ received 6,462 LSCMI scores in 2019 and 6,508 scores in 2020. Even though the total number of scores received for the Stable-2007 decreased by 360 and the LS/CMI scores increased by 46, this represents an overall percentage increase, since the number of individuals on probation and parole and the number of individuals enrolled in sex offender treatment decreased from 2019 to 2020.

The violence risk (LS/CMI) scores are entered into a scoring and interpretation database by the treatment providers through which the scores are provided to the Department of Justice. The software is in the process of being upgraded. The upgraded software system, GEARS, will allow treatment providers to enter the dynamic risk instrument (Stable-2007) scores into the software system, allowing for scores to be provided directly to DOJ. The upgraded system will allow SARATSO to track score submission by treatment provider agency, and will allow for expanded reports to be generated regarding score submission and increase accountability for treatment providers. The GEARS platform will be rolled out in California in early 2022, and will be accompanied by trainings both live and on-demand.

### **History and Role of CASOMB**

In 2006, the Legislature enacted Penal Code Section 9000, creating the first of its kind California Sex Offender Management Board (CASOMB). The legislation defined “Sex Offender” as any person who is required to register as a sex offender under Section 290 of the Penal Code. Penal Code Section 9000 also defined “Treatment” to mean a set of specialized interventions delivered by qualified mental health professionals and designed to address the multiple psychological and physiological factors found to be associated with sexual offending.

Penal Code Section 9000 included the legislative definition of “Management” to mean a comprehensive and collaborative team approach to regulating, controlling, monitoring and otherwise influencing the current and, insofar as is possible, the future behavior of sex offenders who are living in the community and are directly under the authority of the criminal justice system or of another governmental agency performing similar functions. The overriding purpose of the management of sex offenders is to enhance community safety by preventing future sexual victimization.

In defining “Management” in the context of the newly created Sex Offender Management Board, the legislation included the articulation that “Management” includes supervision and specialized treatment as well as a variety of other interventions. “Supervision” means a specialized approach to the process of overseeing, insofar as authority to do so is granted to the supervising agency, all significant aspects of the lives of sex offenders who are being managed, as described in subdivision (d). This approach includes traditional methods as well as techniques and tools specifically designed to respond to the risks to community safety raised by sex offenders. Supervision is one component of management. In other words, CASOMB has the statutory mandate to create and oversee both practices of supervision and specialized sex offender treatment, which it has done since its inception.

Who can serve on CASOMB is articulated in Penal Code Section 9001 directed that the Board members should have substantial prior knowledge of issues related to sex offenders. The Board should also reflect representation by profession northern, central, and southern California as well as urban and rural areas. The Board consists of representatives from State agencies as well as local government agencies, with appointments by the Governor, the Senate Committee on Rules, and the Speaker of the Assembly. The members of CASOMB are the leaders in the respective fields with a combined hundreds of years of experience working with and supervising those convicted of sex offenses.

CASOMB’s authority became permanent in 2009 by statute. It now serves as the Statewide Administrative Board for enacting comprehensive policies, practices, protocols and programs that achieve the overarching legislative mandates, as well as oversight of sex offender management within California. As part of that leadership and responsibility, CASOMB created the structure, components, requirements, policies, protocols and supervisory practices regarding Sex Offender Treatment Programs. CASOMB created the Containment Model in sex offender treatment. Completion of these actions was important with the anticipation of future legislative action to require participation in and supervision of Sex Offender Treatment Programs.

In 2012, an amendment to Penal Code Section 1203.067 was enacted to require all individuals convicted of sex offenses to enter a sex offender treatment program, if probation was granted. In 2014, the California Department of Corrections and Rehabilitation, Division of Adult Parole Operations, was identified as the Nation's lead law enforcement agency in community supervision methods, including requiring participation in sex offender-specific treatment, that including the use of polygraph and victim advocate. CASOMB is the only agency to certify qualified treatment providers, to certify qualified treatment protocols and to supervise and monitor programs and providers who are certified. The legislature provided the necessary funding to provide staff tasked with these very important duties and responsibilities.

CASOMB's role has been incredibly essential with respect to certifying treatment protocols and providers as well as its critical role in oversight due to the enactment of Penal Code Section 384. Penal Code Section 384 was passed by the legislature and signed into law by the Governor in 2018, to take effect in July 2021. The legislation, reported on in earlier CASOMB Reports, changed the existing structure of sex offender registration, enacted in 1944, from lifetime registration for all individuals convicted of sex crimes, to a tiered registration schedule whereby individuals who have been convicted of sex crimes would be required to register as a sex offender for 10, 20 or for life, depending on the crime.

SB 384 had strong, diverse support with CASOMB as the lead sponsor. The basis of the positive legislative enactment was in part, based on the fact that CASOMB had adopted the Containment Model which resulted in stronger criteria for certifying qualified sex offender programs, and for the creation of strong criteria for certifying qualified providers. In addition, CASOMB provided the consistent oversight and quality control necessary to prevent individuals who had been convicted of sex offenses from re-offending as the mandates in Penal Code Section 9000 required.

The vision of CASOMB has always been to decrease sexual victimization and increase community safety. This is accomplished by addressing issues, concerns and problems related to management of adult sex offenders and by developing data driven recommendations, policies and protocols to improve policies and practices. Over the last fourteen years, CASOMB has identified ways to provide stronger safeguards and support individuals convicted of sex offenses to re-enter our communities successfully.

## Appendix B

### Data on Registered Sex Offenders in California

Sex Offender Registration In Community	Registered	Listed on Megan's Law Website
December 2020	<b>82,432</b>	<b>58,822*</b>
December 2021	<b>76,709</b>	<b>59,613*</b>

Sex Offenders In Custody	In State Prisons	In Civil Commitment (SVP)
December 2020	<b>19,697</b>	<b>937**</b>
December 2021	<b>19,998</b>	<b>931</b>

Sex Offenders On Community Supervision	On State Parole	On Conditional Release (SVP)
December 2020	<b>11,263</b>	<b>15**</b>
December 2021	<b>11,355</b>	<b>16**</b>

\* Numbers as of January 1, 2022 from Megan's Law website.

\*\* Numbers reported as of January 1, 2022.

Not all sex offenders who have committed a sexual offense have been detected.

## Appendix C

### Data on Registered Sex Offenders by County

COUNTY	Estimated Population	Active Sex Offender Registrants in the Community	COUNTY	Estimated Population	Active Sex Offender Registrants in the Community
Alameda	1,656,591	2,363	Orange	3,153,764	3,047
Alpine	1,135	2	Placer	404,994	594
Amador	37,377	103	Plumas	18,116	63
Butte	202,669	814	Riverside	2,454,453	4,493
Calaveras	45,036	119	Sacramento	1,561,014	4,176
Colusa	22,248	47	San Benito	63,526	135
Contra Costa	1,153,854	1,432	San Bernardino	2,175,909	4,920
Del Norte	26,949	161	San Diego	3,315,404	4,443
El Dorado	195,362	395	San Francisco	875,010	1,082
Fresno	1,026,6812	2,604	San Joaquin	783,534	1,962
Glenn	29,679	83	San Luis Obispo	271,172	475
Humboldt	130,851	459	San Mateo	765,245	746
Imperial	186,034	260	Santa Barbara	441,172	737

Inyo	18,563	45	Santa Clara	1,934,171	3,350
Kern	914,193	2,193	Santa Cruz	261,115	403
Kings	152,543	422	Shasta	177,797	841
Lake	63,940	324	Sierra	3,189	11
Lassen	27,572	101	Siskiyou	44,330	225
Los Angeles	10,044,458	15,127	Solano	438,527	1,031
Madera	158,474	436	Sonoma	484,207	799
Marin	257,774	153	Stanislaus	555,968	1,404
Mariposa	18,037	74	Sutter	101,289	321
Mendocino	86,669	247	Tehama	65,354	352
Merced	284,836	787	Trinity	13,535	65
Modoc	9,491	65	Tulare	481,733	1,207
Mono	13,295	22	Tuolumne	53,465	172
Monterey	437,318	722	Ventura	835,223	1,113
Napa	137,637	178	Yolo	217,500	388
Nevada	97,466	195	Yuba	79,407	361
			<b>Total:</b>	<b>37,810,264</b>	<b>66,486</b>

State of California, Department of Finance, E-1 Population Estimates for Cities, Counties, and the State with Annual Percentage  
January 1, 2020 and 2021 Sacramento, California, May 2021

Active Sex Offender Registrants by County made available by the California Department of Justice as of January 1, 2022



[www.CASOMB.org](http://www.CASOMB.org)