

PROPOSED IMPROVEMENTS TO  
TIERED REGISTRY LAW (SB 384 – 2017)

- Proposed Changes to Tiered Registry Law **supported by CA Sex Offender Management Board:**
  1. Reduce felony convictions for felony CP convictions from Tier 3 to Tier 1
    - Consistent with federal law
    - Possession and distribution only
  2. Reduce convictions for PC 288(c) from Tier 3 to Tier 2
    - Similar offense PC 288(a) assigned to Tier 2
    - Age of PC 288(c) victims older than age of PC 288(a) victims
    - Sentences for PC 288(c) less severe than PC 288(a)
  3. Reduce convictions for PC 288.2, 288.3, 288.4 from Tier 3 to Tier 1
- Proposed Changes to Tiered Registry Law **supported by CA Attorneys for Criminal Justice**
  1. Create “off-ramp” for some assigned to Tier 3 to petition after 30 years
  2. Clarify that courts can consider petition even if individual lacks CA DOJ tier assignment
  3. Clarify that attempted offense should be tiered as an attempt, not a completed offense, and assigned to Tier 1
  4. Clarify that misdemeanor PC 288.2 convictions don’t require registration
  5. Eliminate PC 290.46(k) that prohibits registrants from viewing their profile on Megan’s Law website

CA Sex Offender Management Board (CASOMB) – Background Information

- Legislature created CASOMB in 2006
- CASOMB purpose: provide recommendations to legislature regarding sex offender issues
- CASOMB members are state government experts representing CDCR, District Attorneys, victims, treatment providers, probation officers

Tiered Registry Law – Background Information

- Tiered Registry Law (SB 384) – signed into law 2017; petitioning started July 2021
  1. Purpose: to reduce government spending and to increase public safety
    - Number of registrants reduced from 106,000 to 103,000
    - Smaller number of petitions filed than expected
  2. About 55 percent of registrants assigned to highest tier (Tier 3), not eligible to petition
    - Some Tier 3 convictions nonviolent and non-contact
    - Other Tier 3 convictions do not serve purpose of Tiered Registry Law to make registries more efficient by removing individuals who pose low risk
  3. Created 3 tiers that allow some, but not all, to petition for removal from registry – courts make final decision
    - Tier 1 – 10 years minimum
    - Tier 2 – 20 years minimum
    - Tier 3 – not eligible to petition
  4. Tier assignments based on conviction offense, not risk level