

## RELEASE OF SEX OFFENDER INFORMATION TO THE PUBLIC

- AUTHORITY:** Sections 290 and 290.45 of the California Penal Code  
AB 1562 Chaptered 09/25/96  
Administrative Directive
- RECINDS:** Procedure Manual Item 1-1-107 dated 07/21/23 (Recertified)
- FORMS:** Criminal Offender (F057-8600(A)AF(08/2007)  
Record Information (CORI) Chrono Request Form
- PURPOSE:** To provide a guideline for staff on releasing information on sex offenders to the public.

### I. GENERAL INFORMATION

- A. 290.45 PC states law enforcement agencies can notify the public and permits notification on ANY 290 PC registrant posing a risk to public safety. Disclosure can be made by whatever means the law enforcement agency deems appropriate and necessary based upon what information the agency has concerning the specific registrant's current risk of sexual or violent re-offense including, but not limited to the persons static, dynamic, and violence risk levels on the SARATSO (State Authorized Risk Assessment Tool for Sex Offenders) risk tools. Disclosure about registrants is discretionary and not required; however, discretion may be exercised when disclosure is necessary for public protection.
- B. The following information may be released pursuant to 290.45(b) PC but not limited to:
1. The offender's full name.
  2. The offender's known aliases.
  3. The offender's gender.
  4. The offender's race.
  5. The offender's physical description.
  6. The offender's photograph.
  7. The offender's date of birth.
  8. The offender's address, which shall be verified prior to publication.
  9. Description and license plate number of offender's vehicles or vehicles the offender is known to drive.
  10. Type of victim targeted by the offender.

11. Relevant parole or probation conditions, such as one prohibiting contact with children.
12. Crimes resulting in classification under Section 290.
13. Date of release from confinement.

However, information disclosed pursuant to this subdivision shall not include information that would identify the victim.

## II. PROCEDURE

- A. Should a request for release of information about a registered sex offender come from public inquiry unrelated to the supervision of cases, the inquiring person should be referred to the supervisor of the Adult Sex Crimes Unit.
  1. The supervisor of the Adult Sex Crimes Unit is to review the request from a member of the public and consider referring the inquiring individual to a more appropriate agency for proper handling; i.e. local law enforcement, Department of Justice staff, Parole, etc.
  2. If, in the supervisor's opinion the Probation Department is in the best position to release information or that immediate release may be necessary, the supervisor may release the information to the person inquiring who may be at risk. The supervisor should follow the same guidelines for release as described below for other staff.
- B. Should a probation officer determine that a child or other person may be at risk from a registered sex offender previously convicted of a qualifying offense through the performance of their duties, the following steps are to be taken:
  1. Confirm the qualifying conviction is a registerable 290 PC offense.
  2. Identify the member(s) of the public that may be at risk.
  3. Identify the information that is authorized released to a member of the public deemed relevant and necessary for community safety.
  4. Consider providing the information to another law enforcement agency that may be in a better position to inform the person at risk of the relevant and necessary information. (Local police or sheriff, State Department of Justice staff, etc.).
  5. Discuss and receive approval for the release with the immediate supervisor, the Supervising Probation Officer of the Adult Sex Crimes Unit or the Division Director of the Special Supervision Division. If in the officer's judgment the release of information is urgent for community protection, the information may be immediately released with notification to the officer's supervisor and the Supervisor of the Adult Sex Crimes Unit as soon as practicable.

- C. A Deputy Probation Officer should take the following steps when releasing information to a person (or responsible adult in the case of a minor) reasonably suspected to be at risk:
1. Indicate to the person to be notified that the disclosure is being provided to them as authorized by the Penal Code and that the purpose of the release of information is to protect themselves, their children or others [required pursuant to 290.45(a)(2) PC] from sex offenders. Indicate to them that there are civil and criminal liabilities for persons who misuse the information to harass or commit criminal acts against sex offenders.
  2. Provide the relevant and necessary information related to protecting themselves or others. Explain the relevance of the information and answer any questions they may have. Refer them to local law enforcement should they feel someone is at risk from the offender.
  3. Complete form F057-8600(A)AF(08/2007) Criminal Offender Record Information Chrono Request. Pay particular attention to articulating the reasons for the release and the type of information released. In addition, be sure to note that the person receiving the information was advised of II.C.1. above.
  4. Route the form to the immediate supervisor for review and signature.
  5. The supervisor reviews the form and if the release was specific to a probation case it is routed to the unit clerk for a chrono entry with the form placed in the case file. If the release was unrelated to a specific probationer, the form is to be routed to the supervisor of the Adult Sex Crimes Unit for review and storage.
- D. The supervisor of the Adult Sex Crimes Unit is to maintain records of Sex Offender, Criminal Offender Release Information forms related to non-probation related releases of information for a minimum of five years.

**REFERENCES:**

Procedures:	1-1-101	Access To and Release Of Criminal Offender Record Information (CORI)
	1-1-103	Teletype Services
	1-4-104	Threats: Staff Responsibilities Regarding Threats and Notice To Unsuspecting Victims
Policies:	A-21	Liability
	B-1	Case Confidentiality-Client's Right to Privacy
	D-1	Threats, Harm, Danger To Employees And Others
	E-12	Resolving Problems in Probationer's Employment Status

S. McCoy

**APPROVED BY**