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## **Megan's Law**

### **356.1 PURPOSE AND SCOPE**

The purpose of this policy is to establish a procedure for the dissemination of information regarding certain registered sex offenders under California's Megan's Law. (Penal Code §§ 290 and 290.4) It is the policy of this Department to facilitate public access to information allowed by legislation on serious and high-risk sex offenders.

### **356.2 DEPARTMENTAL DISSEMINATION OF INFORMATION**

Whenever this Department determines that it is necessary to provide information to the public regarding a person required to register as a sex offender pursuant to Penal Code § 290 in order to ensure the public safety, such information may only be released by means determined by the Chief of Police to be appropriate. (Penal Code § 290.45(a)(1))

Prior to the public release of any information regarding a registered sex offender, an officer shall obtain approval from a supervisor. Under exigent circumstances, an officer may release the information without prior supervisory approval; however, a supervisor shall be notified of the information release as soon thereafter as is practical.

Included with all public disclosures of information about any registered sex offender will be a statement that the purpose of the release is to allow members of the public to protect themselves and their children from sex offenders. (Penal Code § 290.45(a)(2))

### **356.21 LIMITATIONS ON EXTENDED RELEASE**

Individuals and entities receiving information regarding registered sex offenders may only be authorized to disclose such information to additional persons if the Department determines the appropriate scope that such disclosure will enhance the public safety. The Department may not authorize any disclosure of such information by its placement on a non-departmental Internet Web site. (Penal Code § 290.45(c)(1))

### **356.3 RELEASE OF INFORMATION VIA THE INTERNET**

Information about a specific offender may be publicly disclosed by way of the Department's Internet Web site if the Department determines that such disclosure is necessary to ensure the public safety. (Penal Code § 290.46(g))

### **356.31 INFORMATION PROHIBITED FROM INTERNET RELEASE**

The following information shall not be released over the Department's Internet Web site: (Penal Code § 290.46(a))

- (a) All information identifying the victim
- (b) The name and address of the offender's employer
- (c) The offender's criminal history other than those offenses requiring registration

### **356.32 INFORMATION PERMITTED FOR INTERNET RELEASE**

For those offenders listed in Penal Code § 290.46(c)(2) and (d)(2), the following information may be included on the Department's Internet Web site:

- (a) The offender's full name;
- (b) The offender's known aliases;
- (c) The offender's gender;
- (d) The offender's race;
- (e) The offender's physical description;
- (f) The offender's photograph;
- (g) The offender's date of birth;
- (h) Crimes resulting in the registration of the offender under Penal Code § 290;
- (i) The community of residence and ZIP Code in which the registrant resides or the county in which the person is registered as a transient;
- (j) Any other information which the Department deems relevant, such as:
  - 1. Description of the offender's vehicle(s) or vehicle(s) the offender is known to drive (only if the offender is currently wanted for a criminal offense);
  - 2. Type of victim targeted by the offender;
  - 3. Relevant parole or probation conditions, such as prohibiting contact with children;
  - 4. Dates of crimes resulting in current classification;
  - 5. Dates of release from confinement;
  - 6. The offender's enrollment, employment, or vocational status with any university, college, community college, or other institution of higher learning.

For those offenders listed in Penal Code § 290.46(b)(2), the following additional information may be included on the Department's Internet Web site in addition to the above:

- The address at which the offender resides.

Prior to the release of any offender's address(es), the officer shall verify that it is still current.

### **356.33 USE OF DISCLOSURE FORMS**

Whenever information regarding any sex offender is publicly disseminated, the officer shall complete a "Megan's Law Disclosure" form, which shall be promptly forwarded to the Detective Bureau.

The release of such information shall also be noted by entering the notification into the comment field on the offender's Supervised Release File Record.

#### **356.34 LIMITED RELEASE WITHIN COLLEGE CAMPUS COMMUNITY**

In addition to the authority provided elsewhere within this policy, any campus police department or local agency having jurisdiction over any university, college, community college or other institution of higher learning may release the following information within the campus community regarding other registered sex offenders:

- (a) The offender's full name;
- (b) The offender's known aliases;
- (c) The offender's gender;
- (d) The offender's race;
- (e) The offender's physical description;
- (f) The offender's photograph;
- (g) The offender's birthdate;
- (h) Crimes resulting in registration under Penal Code § 290;
- (i) The date of last registration or reregistration.

The release of any information pursuant to this section shall be strictly limited to that which is intended to reach persons only within the campus community. For purposes of this section, "campus community" shall be defined as those persons present at or regularly frequenting any place constituting campus property, satellite facilities, laboratories, public areas contiguous to the campus and other areas set forth in Penal Code § 290.01(d)(1).

#### **356.4 PUBLIC INQUIRIES**

As a general rule, information may not be given over the telephone.. Members of the Public may access detailed sexual offender information by way of their personal computer through the Internet at the Megan's Law website maintained by the Department of Justice ([www.meganslaw.ca.gov](http://www.meganslaw.ca.gov)). They may also submit a list of at least six persons directly to DOJ on a designated form to inquire whether any of those persons are required to register as a sex offender and is subject to public notification (DOJ may charge a fee for such inquiries). (Penal Code § 290.4(a))