California Department of Justice CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION Joe Dominic, Director



INFORMATION BULLETIN

Subject:

Reporting Sex Offender Registration at the Time of Sentencing to the California Department of Justice

No. 17-01-CJIS

Date:

01-05-17

Contact for information:

California Sex Offender Registry (916) 210-3113

TO: CALIFORNIA PROBATION DEPARTMENTS

It has come to the attention of the California Department of Justice (DOJ) that courts across the state may be incorrectly reporting sex offender registration information at the time of sentencing to the DOJ. This information is submitted by the courts through the DOJ Electronic Disposition Reporting (EDR) system, formally known as the Automated Transaction Disposition Reporting (ATDR), or via the DOJ's *Adult Disposition of Arrest and Court Action* (JUS 8715) form. This information bulletin serves to clarify how courts should be submitting this information when a defendant is ordered to register as a sex offender under varying circumstances.

Mandatory Registration

When a defendant is convicted of an offense listed in Penal Code section 290, subdivision (c), they are required to register as a sex offender for life. This is considered a "mandatory" registration offense.

ATDR

The Qualifier Code of "CQ" should be used in the Step Type 04 for each corresponding count for a violation of a Penal Code section 290, subdivision (c) offense.

JUS 8715

Date (Date (mm-dd-yyyy)		Condition of Probation									C	ther	Rema	Remarks									
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Only the box(es) regarding "mandatory" registration should be checked for each corresponding count for a violation of a Penal Code section 290, subdivision (c) offense.

Discretionary Registration

When a defendant is convicted of an offense that is not listed under Penal Code section 290, subdivision (c), but the court exercises its discretion under Penal Code section 290.006 to order the defendant to register as a sex offender for life, this is considered "discretionary" registration.

ATDR

The Qualifier Code of "CO" should be used in the Step Type 04 for each corresponding count to which the court orders discretionary registration pursuant to Penal Code section 290.006.

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Only the following box(es) should be checked for each corresponding count to which the court orders discretionary registration pursuant to Penal Code section 290.006.

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Condition of Probation

In certain circumstances, the court may order a person to register as a sex offender for the period of probation for an offense not listed in Penal Code section 290, subdivision (c), pursuant to People v. King (2007) 151 Cal. App. 4th 1304. This is considered "registration for probation only."

ATDR

Registration for the period of probation can be reported at the count level or at the case sentencing level. To report at the count level, the Qualifier Code of "CP" should be used in the Step Type 04 for each corresponding count to which the court orders registration for the period of probation only. To report the requirement to register for the period of probation at the case sentencing level, the following data elements are required: Step Type 05, Conditions of Probation 4/Required to Register – Position 196 (valid value = Y).

Only the following box(es) should be checked for each corresponding count to which the court orders registration for the period of probation only.

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For questions regarding these new laws, please contact the California Sex Offender Registry at (916) 210-3113 or via e-mail at CASEX-REG@doj.ca.gov. For questions regarding the disposition reporting of this requirement. please contact electronicdispositionreporting@doj.ca.gov for ATDR submissions or disposition.BCIA@doj.ca.gov for JUS 8715 submissions.

Sincerely,

JOE DOMINIC, Director

California Justice Information Services Division

KATHLEEN A. KENEALY Chief Deputy Attorney General

For