
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Jesse Arreguin, Chair
2025 - 2026 Regular

Bill No: AB 1568 **Hearing Date:** June 16, 2026
Author: Alanis
Version: May 18, 2026
Urgency: No **Fiscal:** Yes
Consultant: ML

Subject: *Sex offenses: registration*

HISTORY

Source: Stanislaus County District Attorney's Office

Prior Legislation: SB 118 (Comm. on Budget), Ch. 29, Stats. of 2018
SB 384 (Wiener), Ch. 541, Stats. of 2017
SB 421 (Wiener), held in Assembly Appropriation, 2017

Support: Arcadia Police Officers' Association; Brea Police Association; Burbank Police Officers' Association; CA Sex Offender Management Board; California Association of School Police Chiefs; California Coalition of School Safety Professionals; California District Attorneys Association; California Narcotic Officers' Association; California Reserve Peace Officers Association; Claremont Police Officers Association; Corona Police Officers Association; Culver City Police Officers' Association; Fullerton Police Officers' Association; Los Angeles School Police Management Association; Los Angeles School Police Officers Association; Murrieta Police Officers' Association; Newport Beach Police Association; Palos Verdes Police Officers Association; Placer County Deputy Sheriffs' Association; Pomona Police Officers' Association; Riverside Police Officers Association; Riverside Sheriffs' Association

Opposition: ACLU California Action; California Public Defenders Association; Los Angeles County Public Defender's Union, Local 148

Assembly Floor Vote: 73 - 0

PURPOSE

The purpose of this bill is to make various changes to the petition process for termination from the sex offender registry, including requiring the petitioner to reside in California; requiring that the petition be heard in the county in which the person is registered; allowing a court to order a petitioner to appear either personally or by video; requiring the court to consider whether the offender was in a position of trust or authority in relation to any victim when considering whether continued registration would significantly enhance community safety; requiring the court to consider proof of a petitioner's participation in or completion of sex-offender treatment when considering community safety; and requiring the court to verify participation in or completion of such programming in a manner of its discretion.

Existing law requires persons convicted of specified crimes to annually register as a sex offender for a specified duration. (Pen. Code, § 290.)

Existing law designates sex offenses as tier one, tier two, or tier three offenses. Defines a tier one offense as any misdemeanor sex offense, as specified, or any non-serious or non-violent sex offense, as specified. Defines a tier two offense as a serious or violent sexual felony, as specified; incest; sodomy, oral copulation, or sexual penetration with a person who has a mental disorder or disability that prevents consent; or a second offense of annoying or molesting a child under 18 years of age. Defines a tier three offense as a second offense of a serious or violent sexual felony, as specified. (Pen. Code, § 290, subd. (d).)

Existing law requires persons convicted of a tier one sex offense to register as a sex offender for ten years. Requires persons convicted of a tier two sex offense to register as a sex offender for twenty years. Requires persons convicted of a tier three sex offense to register for life. (Pen. Code, § 290, subd. (d).)

Existing law requires persons convicted of specified sex offenses to register as a sex offender, or re-register if the person has been previously registered, upon release from incarceration, placement, commitment, or release on probation. States that the registration shall consist of all of the following:

- A statement signed in writing by the person, giving information as shall be required by the Department of Justice (DOJ), the name and address of the person's employer, and the address of the person's place of employment, if different from the employer's main address;
- Fingerprints and a current photograph taken by the registering official;
- The license plate number of any vehicle owned by, regularly driven by, or registered in the name of the registrant;
- Notice to the person that he or she may have a duty to register in any other state where he or she may relocate; and, copies of adequate proof of residence, such as a California driver's license or identification card, recent rent or utility receipt, or any other information that the registering official believes is reliable. (Pen. Code, § 290.015, subd. (a).)

Existing law provides that within three days after registration, the registering law enforcement agency or agencies shall forward the statement, fingerprints, photograph, and vehicle license plate number, if any, to DOJ. (Pen. Code, § 290.015, subd. (b).)

Existing law provides that willful violation of any part of the registration requirements constitutes a misdemeanor if the offense requiring registration was a misdemeanor, and constitutes a felony if the offense requiring registration was a felony or if the person has a prior conviction of failing to register. (Pen. Code, § 290.018, subds. (a), (b).)

Existing law states that a misdemeanor failure to register shall be punishable by imprisonment in a county jail not exceeding one year, and a felony failure to register shall be punishable in the state prison for 16 months, two years, or three years. (Pen. Code, § 290.018, subs. (a), (b).)

Existing law provides that a court can require a person to register, who is not otherwise required to register, if the court finds at the time of conviction or sentencing that the person committed the offense as a result of sexual compulsion or for the purpose of sexual gratification. (Pen. Code, § 290.006.)

Existing law states that DOJ is required to make information about registered sex offenders available to the public via a website, as specified. (Pen. Code, § 290.46.)

Existing law provides that DOJ is required to include on this website a registrant's name and known aliases, a photograph, a physical description, including gender and race, date of birth, criminal history, and any other information that DOJ deems relevant unless expressly excluded under the statute. Requires DOJ to include on its Internet website either the home address or zip code of residence of persons who are required to register as sex offenders based upon their registration offense. (Pen. Code, §§ 290.46, subs. (b)(2), (d)(2).)

Existing law requires people who are sex offender registrants to disclose this status to the licensee of a community care facility before becoming a client of that facility. (Health & Saf. Code, § 1522.01.)

Existing law imposes specified restrictions on persons registered as sex offenders with respect to employment in certain areas, such as in education, community care facilities, residential care facilities, residential care facilities for the elderly, day care facilities, engaging in the business of massage, physicians and surgeons, registered nurses, and others. (Ed. Code, §§ 35021, 44345; Health & Saf. Code, §§ 1522, 1568.09, 1569.17, 1596.871; Gov. Code, § 51032; Bus. & Prof. Code, §§ 2221, 2760.1.)

Existing law establishes a process, starting July 1, 2021, where persons required to register as a sex offender as a tier one or a tier two offender may petition the court for termination of the requirement to register after the minimum statutory time-period of 10 or 20 years depending on the underlying conviction. (Pen. Code, § 290.5.)

Existing law requires the petition to be served on the registering law enforcement agency and the district attorney in the county the petition is filed and the county of conviction if different from the registering county and requires the registering law enforcement agency to report receipt of service of a filed petition to DOJ. (Pen. Code, § 290.5, subd. (a)(2).)

Existing law requires the registering law enforcement agency, within 60 days of receipt of the petition, to report to the prosecutor and the court whether the person has met the requirements for termination as required under statute. (*Ibid.*)

Existing law authorizes the prosecutor to request a hearing and present evidence to establish that community safety would be significantly enhanced by requiring continued registration. (Pen. Code, § 290.5, subd. (a)(2)-(3).)

Existing law requires, if such a hearing is requested, that the court consider the following factors: the nature and facts of the registerable offense; the age and number of victims; whether any victim was a stranger at the time of the offense (known to the offender for less than 24 hours); criminal and relevant noncriminal behavior before and after conviction for the registerable offense; the time period during which the person has not reoffended; successful completion, if any, of a Sex Offender Management Board-certified sex offender treatment program; and the person's current risk of sexual or violent reoffense, including the person's risk levels on State Authorized Risk Assessment Tools for Sex Offenders (SARATSO) static, dynamic, and violence risk assessment instruments, if available. (Pen. Code, § 290.5, subd. (a)(3).)

Existing law states that if no hearing is requested, the petition for termination shall be granted if the court finds the required proof of current registration is presented in the petition, provided that the registering agency reported that the person met the requirement for termination, as specified; there are no pending charges against the person which could extend the time to complete the registration requirements of the tier or change the person's tier status; and the person is not in custody or on parole, probation, or supervised release. (Pen. Code, § 290.5, subd. (a)(2).)

Existing law states that if the court denies a petition for termination, the court must set the time period, from one to five years, after which the petitioner can re-petition and state its reasons for the time period selected. (Pen. Code, § 290.5, subd. (a)(4).)

Existing law created the Sex Offender Management Board (CASOMB) under the jurisdiction of the Department of Corrections and Rehabilitation (CDCR). States that CASOMB will consist of 17 members. Requires membership of the board to reflect, to the extent possible, representation of northern, central, and southern California as well as both urban and rural areas. (Pen. Code, § 9001, subd. (a).)

Existing law requires CASOMB to address any issues, concerns, and problems related to the community management of adult sex offenders. States that the main objective of CASOMB, which shall be used to guide the board in prioritizing resources and use of time, is to achieve safer communities by reducing victimization. (Pen. Code, § 9002.)

Existing law requires that CASOMB develop and update standards for certification of sex offender management professionals. Requires that all those professionals who provide sex offender management programs and risk assessments, as specified, be certified by the board according to these standards. Requires that the standards be published on the board's Internet website. Allows that professionals may apply to the board for certification on or after August 1, 2011. (Pen. Code, § 9003, subd. (a).)

Existing law requires that on or before July 1, 2011, CASOMB must develop and update standards for certification of sex offender management programs, which shall include treatment and dynamic and future violence risk assessments, as specified. Requires that the standards be published on the board's Internet web site. Requires that all those programs shall include polygraph examinations by a certified polygraph examiner, which must be conducted as needed during the period that the offender is in the sex offender management program. States that only certified sex offender management professionals whose programs meet the standards set by the board are eligible to provide sex offender management programs, as specified. (Pen. Code, § 9003, subd. (b).)

Existing law requires that people placed on formal probation or parole for a sex offense on or after July 1, 2012, must successfully complete an approved sex offender management program. Requires that individuals placed on formal probation or parole for a sex offense prior to that date must participate in—but need not complete—an approved program. (Pen. Code, § 1203.067, subd. (b); Pen. Code, § 3008, subds. (d)(1)-(2).)

Existing law requires that such treatment program participation be no less than one year and up to the entire period of parole. States that at the conclusion of a treatment program, the treatment team—comprised of a parole agent, a parole unit supervisor or assistant unit supervisor, the supervised person, contracted clinician (licensed psychiatrist, psychologist, or psychiatric social worker), and victim advocacy representative—may make a determination to retain a participant in a sex offender management program, but the determination must be supported by good cause. (Cal. Code Regs. tit. 15, § 3574, subd. (b).)

Existing law states that good cause means a finding based upon a preponderance of the evidence that there are a factual basis and good reason for the decision made. (Cal. Code Regs. tit. 15, § 3000.)

This bill requires that the person petitioning to be removed from the registry currently reside in the state of California.

This bill requires that the petition be heard in the county in which the person is registered.

This bill specifies that a court may order a petitioner to appear, either personally or by video, at a hearing requested by the prosecutor to determine whether to order continued registration.

This bill requires the court to consider, when determining whether continued registration would significantly enhance community safety, whether the offender was in a position of trust or authority in relation to any victim.

This bill requires the court to consider, when determining whether continued registration would significantly enhance community safety, proof of participation in or successful completion of sex-offender-specific treatment.

This bill requires the court to consider, when determining whether continued registration would significantly enhance community safety, proof of successful completion of Sex Offender Management Board-certified sex offender treatment, if the offender was required to complete that program.

This bill requires the court to verify, in a manner subject to its discretion, the petitioner's participation in or completion of sex-offender specific treatment or successful completion of a CASOMB-certified sex offender treatment program. Specifies that the court may verify such participation or completion by inquiring with the petitioner.

COMMENTS

1. Need for This Bill

The author writes:

Assembly Bill 1568 strengthens California's sex offender registration laws to better protect communities by requiring tier one and tier two sex offenders to provide proof of completing a state-approved sex offender treatment program before they can petition a court to be removed from the registry. The current system lacks verification by which the court and the prosecution can confirm that an offender has completed a sex offender treatment program, placing an undue burden on prosecutors to prove ongoing risk—often impossible in older cases due to lost records. AB 1568 addresses deficiencies by requiring proof of completion of a CASOMB-certified program, ensuring offenders have undergone evidence-based rehabilitation to reduce reoffending risks. This will make Californians safer by preventing these individuals from being removed from the registry without demonstrating behavioral change, while making the criminal justice system more equitable by applying uniform rehabilitation standards and enhancing community protections for vulnerable families and neighborhoods.

2. History of Sex Offense Registration

California was the first state in the United States to require sex offense registration in 1947. The stated purpose for sex offense registration is to deter offenders from committing future crimes, provide law enforcement with an additional investigative tool, and increase public protection.¹ California's sex offense registration law historically required *lifetime registration* by persons convicted of specified sex crimes.²

The United States and South Korea are the only countries that have publicly accessible registries for people convicted of sex offenses.³ In 1996, California enacted “Megan’s Law” allowing the public to access an address list of registered people convicted of sex offenses. Before 2003, members of the public could only obtain the information on the Megan's Law list by calling a “900” number or visiting certain designated law enforcement agencies and reviewing a CD-ROM. However, in 2003, California required DOJ to put the Megan’s Law list of offenders on a public access website with the registrant’s address, photo and list of offenses.⁴ For some people with less serious offenses, only their ZIP code is listed. As a result, a citizen can enter their address and see if there are registered people convicted of sex offenses living in the community.

In 2017, California modified its sex offense registry to a three-tiered registration system based on seriousness of the crime, risk of sexual reoffending, and criminal history.⁵ The recommendation

¹ *Wright v. Superior Court* (1997) 15 Cal.4th 521, 526; Alissa Pleau (2007) *Review of Selected 2007 California Legislation: Closing a Loophole in California's Sex Offender Registration Laws*, 38 McGeorge L.Rev. 276, 277; *Hatton v. Bonner* (2004) 365 F. 3d 955, 961.

² Pen. Code, § 290 subd. (a).

³ South Korea Ministry of Justice, Crime Prevention Bureau, *Sex Offender Registration* <https://www.moj.go.kr/cppb_eng/2828/subview.do> [accessed June 2, 2026].

⁴ See Pen. Code, § 290.46, subd. (a).

⁵ SB 384 (Wiener), Chapter 541, Statutes of 2017.

to move to a tiered system came from CASOMB's 2010 recommendations report.⁶ According to the committee's analysis for the bill, which started off as SB 421 (Wiener) of that same year:⁷

Based on a survey of several municipal law enforcement agencies in California, it is estimated that local law enforcement agencies spend between 60-66% of their resources dedicated for sex offender supervision on monthly or annual registration paperwork because of the large numbers of registered sex offenders on our registry. If we can remove low risk offenders from the registry it will free up law enforcement officers to monitor the high risk offenders living in our communities. Law enforcement cannot protect the community effectively when they are in the office doing monthly or annual paperwork for low risk offenders, when they could be out in the community monitoring high risk offenders. Furthermore, the public is overwhelmed by the number of offenders displayed online in each neighborhood and do not know which offenders are considered low risk and which offenders are considered high risk and therefore truly dangerous.⁸

Under existing law, a tier one offender is someone who is required to register for a misdemeanor sex offense or a felony conviction that is not a serious or violent felony sex offense. Tier one requires a person to register for a minimum of 10 years.⁹ A tier two offender is a person who is required to register for a felony that is defined as a serious or violent felony or other specified sex offenses, unless the person is otherwise required to register under tier three. Tier two requires a person to register for a minimum of 20 years.¹⁰ A tier three offender is a person who is convicted a specified offense or under the one-strike sex law, or is designated as a sexually violent predator or habitual sex offender, in addition to other qualifying offenses and circumstances. A tier three offender must register for life.¹¹

People convicted of sex offenses are required to register annually within five working days of their birthday.¹² If the person has no fixed address, they are required to register every 30 days.¹³ A registered person is also required to notify law enforcement of any change of address within five days of moving.¹⁴ A person who fails to register as a sex offender within the period required by law is guilty of a misdemeanor punishable by up to one year in jail if the underlying sex offense is a misdemeanor; they are guilty of a felony punishable by 16 months, 2 years, or 3 years if the underlying offense is a felony or if it is a second conviction for failure to register.¹⁵

The minimum time for completion of the required registration period in tier one or tier two begins on the date of the person's release from incarceration or other commitment for the registerable offense. The registration time period is tolled during any period of subsequent incarceration or commitment, except that arrests not resulting in conviction, adjudication, or revocation of supervision do not toll the registration period. The minimum time period must be

⁶ See <https://casomb.org/docs/CASOMB%20Report%20Jan%202010_Final%20Report.pdf> (Jan. 2010), p. 50 (accessed Apr. 14, 2025).

⁷ SB 421 (Wiener) was held in the Assembly Appropriations Committee's suspense file. The majority of its contents was later amended into SB 384 (Wiener) which was signed into law in 2017.

⁸ Sen. Com. on Public Safety, Analysis of Senate Bill No. 421 (2017-18 Reg. Sess.) as amended Apr. 17, 2017, p. 9.

⁹ Pen. Code, § 290, subd. (d)(1).

¹⁰ Pen. Code, § 290, subd. (d)(2).

¹¹ Pen. Code, § 290, subd. (d)(3).

¹² Pen. Code, § 290 subd. (b).

¹³ Pen. Code, § 290.011 subd. (a).

¹⁴ Pen. Code, § 290.013.

¹⁵ Pen. Code, § 290.018, subd. (b).

extended by one year for each misdemeanor conviction of failing to register under the act, and by three years for each felony conviction of failing to register under this act, without regard to the actual time served in custody for the conviction.¹⁶

Although most registerable offenses are felonies, there are some wobblers and a few straight misdemeanors.¹⁷ Certain offenses where the act was engaged in voluntarily, albeit without consent because minors cannot legally consent, only require sex offender registration when there is more than a 10-year age gap between the defendant and the minor.¹⁸

Generally, a court may also order a person not otherwise required to register as a sex offender if they find that the person committed the offense as a result of sexual compulsion or for the purposes of sexual gratification.¹⁹

3. Parole Supervision for People on the Sex Offense Registry

Relevantly, the sex offender registry is not the only method by which California monitors the rehabilitation of people convicted of sex offenses upon release. People convicted of most sex offenses are required to be supervised by CDCR's Division of Adult Parole Operations for at least ten years.²⁰ People convicted of more serious sex offenses, as specified, are required to be on parole supervision for life.²¹

People convicted of sex offenses who are on parole must comply with a significant number of parole conditions, such as GPS monitoring, mandatory sex offender treatment, mandatory polygraph examinations, residency restrictions, prohibitions on contact with family members, prohibitions on entering within 100 feet of a park or school, prohibitions on using the internet, prohibitions on using cell phones or computers, and requirements that parole agents approve employment.

4. Research on California's Sex Offense Registry

According to CASOMB, in December of 2025 there were 107,160 people on the sex offense registry in California.²² 12,096 of those people were on parole supervision, while 20,669 were in custody. It is not documented how many people on the registry are on probation, but the number is likely in the thousands.

In general, recidivism is lower among people convicted of sex offenses in California than people convicted of other offenses. The three-year conviction rate for non-sex registrants is 40.5 percent, while the rate for people convicted of sex offenses is 26.9 percent.²³ In general,

¹⁶ Pen. Code, § 290, subd. (e).

¹⁷ See Pen. Code, § 243.4 (sexual battery); Pen. Code, § 266c (obtaining sexual consent by fraud); Pen. Code, §§ 311.1, 311.2, subd. (c), 311.4, 311.11 (child pornography); Pen. Code § 647.6 (annoying or molesting a child); and Pen. Code, § 314, (1) & (2) (indecent exposure).

¹⁸ Pen. Code, § 290, subd. (c)(2).

¹⁹ Pen. Code, § 290.006.

²⁰ Pen. Code, § 3000, subd. (b)(3).

²¹ Pen. Code, § 3000.1, subd. (b)(3).

²² CASOMB, *2025 Year End Report*, (2025) <https://casomb.org/pdf/Year_End_Report_FINAL.pdf> [as of June 2, 2026].

²³ California Department of Corrections and Rehabilitation, *Statewide Recidivism Report for Individuals Released in Fiscal Year 2019-20* (2025) <<https://www.cdcr.ca.gov/research/wp-content/uploads/sites/174/2025/04/Statewide-Recidivism-Report-for-Individuals-Released-in-Fiscal-Year-2019-20.pdf>> [as of June 2, 2026].

recidivism decreases significantly as offenders age and the longer offenders are in the community.

Scientific evidence on sex offender recidivism indicates that sex offender registration does not reduce recidivism. One comprehensive meta-analysis included 18 independent studies, containing data for 474,640 formerly incarcerated people and covering the previous 25 years during which sex offense registration laws were in operation. The authors concluded that sex offense registration laws do not have a statistically significant impact on recidivism.²⁴ Another study performed a systematic review and meta-analysis of 555 studies regarding sex offense recidivism, 369 (66.5 percent) of which were from the United States and 186 (33.5 percent) from Canada. Unlike the United States, Canada did not adopt a public sex offense registration regime. Analyzing the available recidivism studies in both countries, the authors found that recidivism fell in both countries during the 80-year period between 1940 and 2019. In the United States, the recidivism rate dropped by more than 40 percent, while in Canada, the drop was more than 60 percent. The authors concluded that “sex offender registration is not an effective crime prevention tool.”²⁵

Sex offense registration carries collateral consequences that undermine people’s ability to maintain stable housing, employment, and family relationships, which increases recidivism.²⁶ Registrants frequently lose their jobs and struggle to find jobs because of their sex offender status, and when they can find jobs, the jobs are below their qualifications.²⁷ Many landlords refuse to rent to registrants, or will do so only under conditions not required of other applicants.²⁸ In 2019, at least 6,659 people on the registry in the community were registered as “transient” or homeless—though the actual number is likely higher.²⁹

Sex offense registration also generates stigma—reinforcing the stereotype that sex offenders are uniformly dangerous, unresponsive to treatment, and highly likely to reoffend. Because of this stigmatization, registrants experience discrimination, social exclusion, public ridicule, harassment, and violence.³⁰

²⁴ Kristen M. Zgoba & Meghan M. Mitchell, *The effectiveness of Sex Offender Registration and Notification: A meta-analysis of 25 years of findings* (2023) 19 *Journal of Experimental Criminology* 71 <<https://doi.org/10.1007/s11292-021-09480-z>>.

²⁵ Patrick Lussier et al., *Against All Odds: The Unexplained Sexual Recidivism Drop in the United States and Canada* (2023) 52 *Crime and Justice* 125.

²⁶ See, Amanda Agan & J.J. Prescott, *Offenders and SORN Laws*, in *Sex Offender Registration and Community Notification Laws: An Empirical Evaluation* (Wayne Logan & J.J. Prescott eds., 2021) pp. 111, 130; and Jill S. Levenson, *Integrating the Etiology of Sexual Offending into Evidence-Based Policy and Practices*, in *Sex Offender Registration and Community Notification Laws: An Empirical Evaluation* (Wayne Logan & J.J. Prescott eds., 2021) p. 153.

²⁷ Kelly M. Socia, *The Ancillary Consequences of SORN*, in *SORN Laws: An Empirical Evaluation* (2021) p. 79 (citing Center for Sex Offender Management [CSOM], *Managing the Challenges of Sex Offender Reentry* (2007) p. 10).

²⁸ Kelly M. Socia, *The Ancillary Consequences of SORN*, in *Sex Offender Registration and Community Notification Laws: An Empirical Evaluation* (Wayne Logan & J.J. Prescott eds., 2021) pp. 80-81 (citing Naomi Kunstler & Jack Tsai, *Understanding Landlord Perspectives on Applications with Sex Offenses* (2020) 23 *Housing, Care and Support* 27).

²⁹ California Sex Offender Management Board, *Homelessness and Transient Status among Registered Sex Offenders in California* (2019) <https://casomb.org/pdf/Homelessness_and_Transient_Status_among_Registered_Sex_Offenders_in_California_2019_docx.pdf> [as of June 2, 2026].

³⁰ Beth M. Huebner, Kimberly R. Kras & Breanne Pleggenkuhle, *Structural Discrimination and Social Stigma among Individuals Incarcerated for Sexual Offenses: Reentry across the Rural-Urban Continuum* (2019) 57 *Criminology* 715, 717, 731.

5. CASOMB-Certified Treatment

CASOMB was created in 2006 under the jurisdiction of CDCR through AB 1015 in 2006 “to provide the Governor and the Legislature as well as relevant state and local agencies with an assessment of current sex offender management practices and recommended areas of improvement.”³¹

CASOMB is also tasked with developing and updating standards for certification of sex offender management programs. According to CASOMB’s year-end report for 2025, as of December 31, 2025, CASOMB had a total of 69 certified treatment provider agencies representing 411 providers for the period of time between December 31, 2024 to December 31, 2025.³²

People placed on formal probation or parole for a sex offense on or after July 1, 2012, must successfully complete an approved sex offender management program, however, individuals placed on formal probation or parole for a sex offense prior to that date must participate—but need not complete—an approved program.³³ Program participation must be no less than one year and up to the entire period of parole.³⁴ At the conclusion of a treatment program, the treatment team—comprised of a parole agent, a parole unit supervisor or assistant unit supervisor, the supervised person, contracted clinician (licensed psychiatrist, psychologist, or psychiatric social worker), and victim advocacy representative—may make a determination to retain a participant in a sex offender management program, but the determination must be supported by good cause.³⁵ Good cause means a finding based upon a preponderance of the evidence that there are a factual basis and good reason for the decision made.³⁶

CASOMB released a report in 2026 analyzing sex offender treatment programs. It noted that few county probation departments in California subsidize or cover the cost of intake, treatment, polygraph, and risk testing services for people on probation.³⁷ By contrast, parole subsidizes treatment. People on probation must pay for these services, which poses a challenge due to the difficulty of people with sex convictions in finding stable employment and housing. A 2023 CASOMB survey of county probation departments reflected 40% of the departments do not have funding for sex offender treatment for their probationers.

Probationers who are required to register under Penal Code section 290 face extraordinary and compounding barriers to employment, housing, and treatment—barriers that are intensified by public registration requirements and the stigma associated with sexual offenses. Among these challenges, the lack of consistent, designated funding for CASOMB-certified sex offender treatment for probationers represents a critical gap in California’s sex offender management framework.³⁸

³¹ CASOMB, *Recommendations Report*, (Jan. 2010), p. 50

<https://casomb.org/docs/CASOMB%20Report%20Jan%202010_Final%20Report.pdf> [as of June 2, 2026].

³² CASOMB, *2025 Year End Report*, (2025) <https://casomb.org/pdf/Year_End_Report_FINAL.pdf> [as of June 2, 2026].

³³ Pen. Code, § 1203.067, subd. (b); Pen. Code, § 3008, subds. (d)(1)-(2).

³⁴ Cal. Code Regs. Tit. 15, § 3574, subd. (b).

³⁵ *Ibid.*

³⁶ Cal. Code Regs. Tit. 15, § 3000.

³⁷ California Sex Offender Management Board, *Community Transition Paper* (2026)

<https://casomb.org/pdf/Community_Transition_Paper_FINAL_4.2026.pdf> [as of June 2, 2026].

³⁸ *Ibid.*

Anyone who does not undergo probation or parole supervision in California is not required to participate in or complete treatment. Notably, this can include people convicted of sex offenses in other state courts, federal courts, or military court.

6. SARATSO Assessments

According to the SARASTO Committee, which chooses the official risk assessment instruments authorized for use in California, there are three different evidence-based risk instruments that assess risk of reoffending by adult males.³⁹ These risk assessments use (1) static (unchanging factors) such as criminal history; (2) dynamic factors in the offender's life affecting reoffending, such as current alcohol abuse; and (3) risk factors which predict future violence.

Individual risk assessments are designed to identify offenders who are at statistically higher risk of committing another sex crime. Risk assessment is meant to inform appropriate sentencing and supervision decisions, as well as assist treatment providers. SARATSO is also required to develop a plan for the static risk assessment of registered sex offenders who are not on probation or parole supervision.⁴⁰

7. Petitioning for Removal from the Registry

Existing law, commencing July 1, 2021, authorizes a person convicted of a tier 1 or tier 2 offense—who has completed the minimum registration period of 10 or 20 years—to petition the court for termination from the sex offender registry, if the person meets certain criteria.⁴¹ The registering agency must report to the court whether the person met the minimum time period required including any period of tolling or extensions based on new convictions. There must be no pending charges against the person that could extend the time to complete the registration requirements of the tier or change the person's tier status, and the person must not be in custody or on parole, probation, or supervised release.⁴²

The prosecutor in the county of the petition or of conviction may request a hearing and present evidence to establish that community safety would be significantly enhanced by requiring continued registration. (Pen. Code, § 290.5, subd. (a)(3).) The law specifies that in determining whether to order continued registration, the court must consider: the nature and facts of the registerable offense; the age and number of victims; whether any victim was a stranger at the time of the offense (known to the offender for less than 24 hours); criminal and relevant noncriminal behavior before and after conviction for the registerable offense; the time period during which the person has not reoffended; successful completion, if any, of a Sex Offender Management Board-certified sex offender treatment program; and the person's current risk of sexual or violent re-offense, including the person's risk levels on SARATSO static, dynamic, and violence risk assessment instruments, if available.

³⁹ Currently, there is no validated or cross-validated risk instrument for sexual recidivism risk by female offenders but an instrument to predict violent re-offense is valid for use with female offenders. (*2024 SARATSO Committee Publication on Background and Importance of Referral for Scoring by the Courts*, SARATSO <<https://saratso.org/index.cfm?pid=1363>> [accessed Feb. 26, 2026].)

⁴⁰ *Id.*

⁴¹ Pen. Code, § 290.5.

⁴² Pen. Code, §§ 290.5, subds. (a)(2), (e).

At the hearing, the prosecution bears the burden to prove that a person's continued registration "appreciably increases society's safety" because the person poses a current risk of reoffending based on all of the factors, not just the facts of the underlying crime.⁴³ If the court denies the petition for termination, it must set the time period, from one to five years, after which the petitioner can re-petition and state its reasons for the time period selected.⁴⁴ The court may also summarily deny a petition if the court determines the petitioner does not meet the statutory requirements for termination of sex offender registration or if the petitioner has not fulfilled the filing and statute's service requirements. The court must also state the reasons the petition is being summarily denied.⁴⁵

8. Effect of This Bill

This bill makes various changes to the petition process for termination from the sex offender registry. First, the bill requires that the person petitioning to be removed from the registry currently reside in the state of California. The bill further requires that the petition must be heard in the county in which the person is registered. The bill specifies a court may order a petitioner to appear, either personally or remotely by video, at the hearing requested by the prosecutor.

The Committee may consider whether it is necessary to require the petitioner to attend the hearing in person. Many people on the sex offender registry are indigent or homeless. As ACLU California Action notes:

By authorizing the court to require the petitioner to be present, AB 1568 would impose significant hardship and expense on some indigent and elderly individuals who might not have transportation to get to court in rural counties or in large urban counties where all of the petitions are heard in one courthouse. Some elderly individuals may be quite infirm and unable to drive or navigate public transportation. Not every county has robust public transportation.

The bill also includes as an additional factor for the court to consider when determining whether to require continued registration that the offender was in a position of trust or authority in relation to the victim. This factor is already found in other parts of Penal Code Section 290.5 regarding persons who are required to register as a tier two offender for an offense committed when the offender was under 21 years of age with a victim aged 14 years of age or older.⁴⁶ Adding the factor to the petition review process would arguably bring consistency to the rest of the statute.

The bill also amends the existing factor that the court is required to consider regarding successful completion, if any, of a CASOMB-certified sex offender treatment program.⁴⁷ Instead, the bill states that the court must consider *proof* of participation in or successful completion of sex offender-specific treatment by the offender. The court must also consider *proof* of successful completion of a Sex Offender Management Board-certified sex offender treatment program by the offender, if the offender was required to complete that program. The bill specifies that the court must verify completion or participation of programming in a manner of its discretion, including by inquiring with the petitioner.

⁴³ *People v. Thai* (2023) 90 Cal.App.5th 427, 432-433.

⁴⁴ Pen. Code, § 290.5, subd. (a)(4).

⁴⁵ Pen. Code, § 290.5, subd. (a)(2).

⁴⁶ Pen. Code, § 290.5, subd. (b).

⁴⁷ Pen. Code, § 290.5, subd. (a)(3).

The provision requiring proof and verification of treatment raises several concerns. First, as discussed above, many people who are on the registry, such as those convicted in other states who completed supervision, federal court, or military court, may not be required to participate or complete treatment, because they would not necessarily undergo probation or parole supervision in California. These individuals may have undergone treatment in another jurisdiction, but this is not necessarily required. For many of these individuals, this requirement may come as a surprise after successfully completing 10 or 20 years of registration, as they were not on notice that they needed to complete treatment in order to petition for removal.

Additionally, it is unclear how a court can verify completion of a CASOMB-certified program, as most of these programs do not issue certificates of completion. Probation departments and CDCR also usually do not issue such certificates. Petitioners may have completed treatment decades prior to filing their petition, and their provider may have retired or failed to keep records of their treatment. This bill, then, may require petitioners to provide proof that does not exist, even if they have completed their required programming.

Given that anyone convicted of a sex offense who undergoes probation or parole supervision in California is required by statute to participate in or complete this treatment, adding this requirement to the petition process may be redundant and unnecessary. Further, there is no evidence that people who were required to complete treatment have not done so and are still being granted petitions for removal; thus, the bill appears to address a problem that may not exist.

Accordingly, the Committee may consider altering the treatment requirement to make it apply only prospectively to people released moving forward, not retroactively. Retroactive application to petitioners who were not on notice of this requirement would be potentially unfair and result in needless denial of petition for persons who are otherwise rehabilitated and low-risk candidates for removal from the registry. The Committee may also consider making it discretionary, rather than mandatory, for courts to verify completion of the program, due to the practical limitations involved in verifying such programming. Finally, the Committee may consider requiring treatment programs—or probation and parole authorities—to issue certificates of completion to people who complete their programs.

9. Relevant Legislation

AB 2237, currently before this committee, would authorize a court to extend misdemeanor probation for an offender required to register as a sex offender beyond the current one-year probation limit, not to exceed a total probationary period of two years, to allow for the offender to complete an approved sex offender management program.

10. Argument in Support

The Riverside Sheriffs' Association writes:

The current system lacks verification by which the court and the prosecution can confirm that an offender has completed a sex offender treatment program, placing an undue burden on prosecutors to prove ongoing risk—often impossible in older cases due to lost records. AB 1568 addresses deficiencies by requiring proof of

completion of a CASOMB-certified program, ensuring offenders have undergone evidence-based rehabilitation to reduce reoffending risks.

AB 1568 will make Californians safer by preventing these individuals from being removed from the registry without demonstrating behavioral change, while making the criminal justice system more equitable by applying uniform rehabilitation standards and enhancing community protections for vulnerable families and neighborhoods.

11. Argument in Opposition

The California Public Defenders Association writes:

AB 1568 would not only require judges hearing district attorneys' claims that community safety would be enhanced by continued registration to verify a petitioner's participation in or completion of sex offender treatment, but as amended it would also authorize judges to inquire of petitioners as part of that process. By seeking to compel petitioners to testify, AB 1568 threatens to transform the efficient and equitable registry removal petition process into a full-blown evidentiary boondoggle and rework of section 290.5 into an invitation for litigation.

...

Current law does not even contemplate, much less mandate, the presentation of any evidence by the petitioner at a hearing to determine whether community safety would be significantly enhanced by his or her continued registration. AB 1568, by requiring a petitioner to present evidence in the form of compelled testimony, seeks to reallocate the evidentiary burden to the petitioner, a shift that contravenes the original purpose and spirit of section 290.5: to create a streamlined process to request removal from the registry by which those who have successfully completed their terms of mandatory registration.

As amended AB 1568 would seemingly inject a compelled testimony provision into section 290.5 that alters the purpose and procedures of the registry removal process but does not answer the many, varied, serious, and complicated questions that the new compelled testimony provision would raise: What procedural protections will or must be offered to petitioners compelled to testify? What are the limits on the scope of a court's questions? Will attorney questioning be permitted, and, if so, what limits will be placed on that questioning? Can contempt proceedings be initiated against a petitioner who declines to testify? These questions would confront every judge attempting to implement AB 1568's compelled testimony provision, and they could only be answered through costly and burdensome litigation.

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