

Public Defender

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NOTICE OF LAW CHANGING SEX REGISTRATION REQUIREMENTS:

You have a possible petition for relief from further 290 registration based on a new law, SB 384, that takes effect July 1, 2021.

Beginning **July 1, 2021** people with misdemeanor and less serious felony sex convictions will be eligible for *possible* termination of sex offender registration. (Penal Code § 290.5.)

SB 384 does not give relief to everyone; it depends on your conviction, whether you suffered *subsequent* sex offense convictions and whether you are in compliance with registration requirements.

Please note that **you can only petition in the county you are registered in.**

The requirements are strict, BUT there are 3 Tiers: Tier 1, Tier 2 & Tier 3. Starting January 1st, 2021, you will be able to find out from the police department what tier you are in.

You are eligible if:

TIER 1 – 10 YEARS REGISTRATION COMPLIANCE FROM DATE OF RELEASE

- Misdemeanor convictions & no subsequent sex offense convictions;
- Less serious felony convictions not involving force or violence;

TIER 2 – 20 YEARS REGISTRATION COMPLIANCE FROM DATE OF RELEASE

- Any serious or violent felony sex conviction (Penal Code §290(c));
- Two or more convictions for stalking on separate occasions;
- Certain offenses involving victims incapable of consent;
- No subsequent serious or violent felony sex conviction;

TIER 3 – LIFETIME REGISTRATION

- There are no benefits for people convicted of certain offenses. Please call the public defender's office, if the police have notified you that you fall into one of the lifetime registration categories.

THERE ARE ADDITIONAL REQUIREMENTS EVEN IF YOUR CONVICTION FALLS UNDER TIER 1 OR TIER 2.

- you **MUST** be currently registered;
- you **MUST** have reported for that minimum period—10 or 20 years—and time starts counting from your release date. Time in custody does not count; any misdemeanor non-reporting conviction extends reporting duty by one year; a felony non-reporting conviction extends reporting duty by three years.
- you **MUST NOT** be currently justice-involved; that is, on probation, parole, or post-release-community supervision, and
- you **MUST NOT** have any criminal case pending that may extend the reporting period.

IF YOU QUALIFY, THEN YOU SHOULD PETITION FOR RELIEF FROM REGISTRATION.

THE CONTRA COSTA PUBLIC DEFENDER'S OFFICE IS HERE TO HELP YOU FILE YOUR PETITION.

Once your petition is filed, **the police department has 60 days to review your petition.** They will check to see if you have reported for the required time, are currently registered, and are not at present justice-involved. Within 60 days, the PD will send their report to the District Attorney. The D.A. can agree without objection or can object on "public safety" grounds which triggers a hearing. Please contact the Public Defender's Office to start the process.

JUVENILE CONVICTIONS – *Call the Public Defender for detailed advice.*

CLEAN SLATE UNIT

- Call us at: **925-335-8166**
- Email us at: pc290@pd.cccounty.us

Someone from the Clean Slate Unit will get back to you within 72 hours of *receiving* your message. We look forward to helping you move your life forward and to removing the barriers that registration may have posed to employment or housing. The process will take time. We ask for your patience.