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SB-1473 Sex offenders. (2023-2024)

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Date Published: 08/19/2024 09:00 PM

Senate Bill No. 1473

CHAPTER 191

An act to amend Section 290.09 of the Penal Code, relating to sex crimes.

[Approved by Governor August 19, 2024. Filed with Secretary of State August 19, 2024.]

LEGISLATIVE COUNSEL'S DIGEST

SB 1473, Laird. Sex offenders.

Existing law establishes the California Sex Offender Management Board to, among other things, certify sex offender management professionals. Existing law establishes a State-Authorized Risk Assessment Tool for Sex Offenders (SARATSO) and requires every registered sex offender to be assessed with the SARATSO, as specified. Existing law requires a sex offender management professional to provide a person's score on the SARATSO to that person's parole agent or probation officer. Existing law also requires the person's parole agent or probation officer to send the person's SARATSO score to the Department of Justice within 5 working days of the assessment.

This bill would, instead, require the sex offender management professional to send the person's SARATSO score to the Department of Justice within 30 days of the assessment, as specified.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 290.09 of the Penal Code is amended to read:

290.09. On or before July 2012, the SARATSO dynamic tool and the SARATSO future violence tool, as set forth in Section 290.04, shall be administered as follows:

(a) (1) Every sex offender required to register pursuant to Sections 290 to 290.023, inclusive, shall, while on parole or formal probation, participate in an approved sex offender management program pursuant to Sections 1203.067 and 3008.

(2) The sex offender management program shall meet the certification requirements developed by the California Sex Offender Management Board pursuant to Section 9003. Probation departments and the Department of Corrections and Rehabilitation shall not employ or contract with, and shall not allow a sex offender to employ or contract with, an individual or entity to provide sex offender evaluation or treatment services pursuant to this section unless the sex offender evaluation or treatment services to be provided by the individual or entity conform with the standards developed pursuant to Section 9003.

(b) (1) The sex offender management professionals certified by the California Sex Offender Management Board in accordance with Section 9003 who provide sex offender management programs for a probation department or the Department of Corrections

and Rehabilitation shall assess each registered sex offender on formal probation or parole using the SARATSO dynamic tool when a dynamic risk factor changes and shall do a final dynamic assessment within six months of the offender's release from supervision. The management professional shall also assess the sex offenders in the program with the SARATSO future violence tool.

(2) The certified sex offender management professional shall, as soon as possible but not later than 30 days after the assessment, provide the person's score on the SARATSO dynamic tool and the future violence tool to the person's parole agent or probation officer. Within 30 days of the assessment, a certified sex offender management professional shall send the score to the Department of Justice using the dynamic and violence risk assessment tool database used by SARATSO. The score shall be accessible to law enforcement through the Department of Justice's internet website for the California Sex and Arson Registry (CSAR).

(c) The certified sex offender management professional shall communicate with the offender's probation officer or parole agent on a regular basis, but at least once a month, about the offender's progress in the program and dynamic risk assessment issues and shall share pertinent information with the certified polygraph examiner as required.

(d) The SARATSO Training Committee shall provide annual training on the SARATSO dynamic tool and the SARATSO future violence tool. Certified sex offender management professionals shall attend this training once to obtain authorization to perform the assessments and thereafter attend training updates as required by the SARATSO Training Committee. If a sex offender management professional is certified pursuant to Section 9003 to conduct an approved sex offender management program prior to attending SARATSO training on the dynamic and violent risk assessment tools, they shall present to the SARATSO Training Committee proof of training on these tools from a risk assessment expert approved by the SARATSO Training Committee.