

A Closer Look at the Placement of Sex Offenders in California

September 19, 2008

Presented by:

Kris Patel and Jon Kline

Senior Auditor Evaluators

California Bureau of State Audits



Who Are Registered Sex Offenders

- California Penal Code, Section 290, requires all individuals found to have committed certain sexual offenses by any state, federal or military court to register, for the remainder of their lives, as sex offenders while residing in California.
- According to the Department of Justice, there were approximately 59,000 registered sex offenders residing in California communities as of December 2007.



Who Places and Monitors Sex Offenders

- Most sex offenders find their own place of residence.
- The departments of Developmental Services, Mental Health, and Corrections and Rehabilitation place and monitor some sex offenders under their jurisdictions.
- Local law enforcement provide some supervision—typically ranging from actively monitoring all known sex offenders’ whereabouts and ensuring that they are in compliance with applicable laws to merely registering them as such.



What Restrictions Exist Regarding Where Sex Offenders May Reside

- California Penal Code, Section 3003.5(b), a part of Jessica’s Law, prohibits registered sex offenders from residing within 2,000 feet of any public or private school or park where children regularly gather.
- California Penal Code, Section 3003.5(a), restricts a sex offender who is on parole from living with another sex offender in a single-family dwelling unless legally related by blood or marriage, though it does permit them to reside in “residential facilities” that serve six or fewer individuals.



Reasons for the Audit

- Concerns that sex offenders were clustered in group homes or sober living homes, which increase the impact on local communities.
- Lack of reliable information concerning the impact that sex offenders have on both the residential environments they occupy and their impact on surrounding neighborhoods.



Scope of the Audit

- Examine the State's process for placing sex offenders:
 - Determine residency options for sex offenders.
 - Identify the departments responsible for licensing residential facilities and placing sex offenders.
- Determine whether the various state departments follow laws, regulations, and internal policies when identifying, evaluating, placing, tracking, and monitoring sex offenders.



Challenges to Conducting Analyses

- Various agencies place sex offenders depending on their needs.
- Large number of databases and the volume of data to analyze.
- Difficulties of cross-referencing the various databases to identify whether two or more sex offenders were residing together.
- Two agencies license facilities, but no state agency license or track sober living homes.



What We Did to Address Audit Questions

- We began paring down the list of possible matches between the addresses of sex offenders with the addresses of licensed residential care facilities.
- We manually reviewed the pared down list of addresses to determine matches.
- We researched the addresses of over 3,000 paroled sex offenders using Google search and other on-line resources to determine whether they were residing with other sex offenders in single-family dwellings.



What We Found

- State laws related to licensing residential facilities do not contain specific rules or prohibitions for housing sex offenders.
- Through our attempts, we identified that only a fraction (1.1 percent) of sex offenders reside in licensed residential facilities.
- During our analyses, we identified 49 sex offender parolees whose addresses matched those of 46 licensed facilities that care for children.



What We Found (Continued)

- We identified more than 500 instances in which sex offender parolees were listed in Corrections' database as residing at the same address. At least 332 of these addresses appear to belong to hotels or apartment complexes and over 2,000 sex offender parolees were listed as residing at these addresses.
- Laws do not clearly define whether single-family dwellings include sober living homes and motel/hotel rooms.



What We Recommended

- The Legislature should require the various departments to coordinate with one another and develop an approach that would allow them to generate information, on an as-needed basis, regarding sex offenders residing in licensed residential facilities.
- Justice should provide Social Services with the appropriate identifying information to enable Social Services to investigate those instances in which the registered addresses of sex offenders were the same as child care or foster care facilities.



What We Recommended (Continued)

- Corrections should continue to monitor the addresses of paroled sex offenders to ensure that they are not residing with other sex offenders, including those not on parole, in the same unit of a multifamily dwelling.
- The Legislature should consider amending the law that places limits on the number of paroled sex offenders who may reside at the same single-family dwelling to clearly define a single-family dwelling and a residential facility.

