



# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

1600 PACIFIC HIGHWAY, ROOM 335, SAN DIEGO, CALIFORNIA 92101-2470

### AGENDA ITEM

**DATE:** March 11, 2003

**TO:** Board of Supervisors

**SUBJECT:** KEEPING KIDS SAFE: EXPANDING MEGAN'S LAW DATABASE  
ONLINE (District: All)

#### **SUMMARY:**

##### **Overview**

On March 12, 2002 the Board of Supervisors took action to increase the availability of Megan's Law information to San Diego County residents. As a result of the Board's direction, a countywide pin map has been made available to the public and additional Sheriff facilities offered public access to Megan's Law information on computer terminals.

One of the recommendations in the Board action was to explore the feasibility of setting up a secure and restricted web site that will allow only San Diego County residents to access sex offender information online. Unfortunately, it was determined that only the State of California has the legal authority to make the Megan's Law database available to the public over the Internet.

Recent decisions by the United States Supreme Court have cleared the way for the State of California to move forward with increasing the amount of information in the Megan's Law database and making the information available to the public on the Internet.

##### **Recommendation(s)**

##### **VICE CHAIRWOMAN JACOB AND CHAIRMAN COX:**

Direct the Chief Administrative Officer to draft a letter for the Chairman's signature, requesting our local State Delegation to introduce and support County sponsored legislation to change State law so that the Megan's Law database contains the same information as the Alaska sex offender registry, and to make that information available to the public over the internet.

**SUBJECT: KEEPING KIDS SAFE: EXPANDING MEGAN'S LAW DATABASE ONLINE (District: All)**

**Fiscal Impact**

There is no fiscal impact associated with this request.

**BACKGROUND:**

On March 12, 2002 the Board of Supervisors took action to increase the availability of Megan's Law information to San Diego County residents. As a result of the Board's direction, a countywide pin map has been made available to the public and additional Sheriff facilities offer public access to Megan's Law information on computer terminals.

One of the recommendations in the Board action was to explore the feasibility of setting up a secure and restricted web site that will allow only San Diego County residents to access sex offender information online. Unfortunately, it was determined that only the State of California had the legal authority to make the Megan's Law database available to the public over the internet. No action has been taken by the State because legal implications needed to be resolved by the United States Supreme Court.

The State of Connecticut and the State of Alaska implemented online sex offender registries and both were challenged in the court system, eventually being ruled unconstitutional in the Court of Appeals. Connecticut's sex offender registry contains an offender's name, address, photograph and description, and is available on the Internet. Alaska's sex offender registry contains an offender's name, aliases, address, photograph, physical description, driver's license number, motor vehicle identification number, place of employment, date of birth, crime, date and place of conviction, length and conditions of sentence, and statement as to whether the offender is in compliance with registration requirements, and is available on the Internet. Utah, Texas and Florida have implemented similar sex offender registries.

On March 5, 2003, the United States Supreme Court decided on *Connecticut Department of Public Safety v. Doe* and *Smith v. Doe*. In both cases, the Supreme Court reversed the Court of Appeals, ruling in favor of Connecticut and Alaska. These decisions pave the way for all States to legally place information on registered sex offenders on the Internet.

California needs to take swift action to not only change State law so that Megan's Law information can be accessed online, but to also increase the available information on sex offenders. California's sex offender registry should include the same information that is available in Alaska. Sex offenses don't just take place in a sex offender's home. Children and adults are often victimized in vehicles, at work or in public locations. The community has the right to know as much information as possible on these dangerous individuals.

This action requests our local State Delegation to introduce and support County sponsored legislation to change State law so that the Megan's Law database contains the same information as the Alaska sex offender registry, and to make that information available to the public over the Internet. We urge your support.

**SUBJECT: KEEPING KIDS SAFE: EXPANDING MEGAN'S LAW DATABASE  
ONLINE (District: All)**

Respectfully submitted,

DIANNE JACOB  
Vice Chairwoman

GREG COX  
Chairman

**SUBJECT:** KEEPING KIDS SAFE: EXPANDING MEGAN'S LAW DATABASE  
ONLINE (District: All)

**AGENDA ITEM INFORMATION SHEET**

**CONCURRENCE(S)**

|                                                             |                          |     |                              |
|-------------------------------------------------------------|--------------------------|-----|------------------------------|
| <b>COUNTY COUNSEL REVIEW</b>                                | <input type="checkbox"/> | Yes |                              |
| Written Disclosure per County Charter                       | <input type="checkbox"/> | Yes | <input type="checkbox"/> No  |
| Section 1000.1 Required                                     |                          |     |                              |
| <b>GROUP/AGENCY FINANCE DIRECTOR</b>                        | <input type="checkbox"/> | Yes | <input type="checkbox"/> N/A |
| <b>CHIEF FINANCIAL OFFICER</b>                              | <input type="checkbox"/> | Yes | <input type="checkbox"/> N/A |
| Requires Four Votes                                         | <input type="checkbox"/> | Yes | <input type="checkbox"/> No  |
| <b>GROUP/AGENCY INFORMATION<br/>    TECHNOLOGY DIRECTOR</b> | <input type="checkbox"/> | Yes | <input type="checkbox"/> N/A |
| <b>COUNTY TECHNOLOGY OFFICE</b>                             | <input type="checkbox"/> | Yes | <input type="checkbox"/> N/A |
| <b>DEPARTMENT OF HUMAN RESOURCES</b>                        | <input type="checkbox"/> | Yes | <input type="checkbox"/> N/A |

**Other Concurrence(s):**

**ORIGINATING DEPARTMENT:** First Supervisorial District  
Second Supervisorial District

**CONTACT PERSON(S):**

|                        |                     |
|------------------------|---------------------|
| <u>Patty Kay Danon</u> | <u>Jeff Collins</u> |
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| Mail Station           | Mail Station        |
| <u>        </u>        | <u>        </u>     |
| E-mail                 | E-mail              |
| <u>        </u>        | <u>        </u>     |

**AUTHORIZED REPRESENTATIVE:** \_\_\_\_\_