

OFFICE OF THE CHIEF OF POLICE

NOTICE
1.14

August 14, 2020

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: ASSEMBLY BILL 1261 – TERMINATION OF CALIFORNIA NARCOTICS
OFFENDER REGISTRATION REQUIREMENTS

The purpose of this Notice is to advise Department personnel that, pursuant to state law, the Department has eliminated the registering of narcotics offenders for certain controlled substance offenses found in the California Health and Safety Code (“H&S”).

Effective January 1, 2020, Assembly Bill 1261 (“AB 1261”) eliminated the registration and reporting requirements for persons convicted of the below-listed controlled substance offenses (“AB 1261 covered offenses”). This bill also prohibits the statements, photographs, and fingerprints obtained during the registry requirements or previous registry requirements for AB1261 covered offenses from being inspected by the public or by any person other than a regularly employed peace or other law enforcement officer. This bill, however maintains the reporting requirements for those same offenses when the arrestee is a school or community college employee.

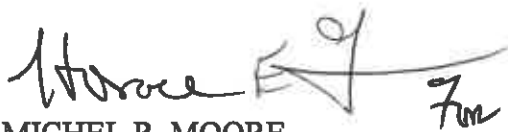
Note: Department personnel are still required to make proper notifications pursuant to 11591 and 11591.5 H&S and are reminded to keep all records obtained from previous narcotics registrations confidential and available for inspection.

The AB1261 covered offenses are:

- 11350 H&S – Unlawful possession;
- 11351 H&S – Unlawful possession for sale;
- 11351.5 H&S – Possession of cocaine base for sale;
- 11352 H&S – Unlawful transport, import, sale, administration, or gift of controlled substance;
- 11353 H&S – Inducement of minor’s violation by person 18 years of age or over;
- 11353.5 H&S – Preparation or distribution in specified places;
- 11353.7 H&S – Preparation for sale, sale or distribution of controlled substance to minor in public park;
- 11354 H&S – Inducement of minor’s violation by person under age of 18;
- 11355 H&S – Unlawful sale or transportation pursuant to agreement;
- 11358 H&S – Planting, harvesting, or processing of cannabis;
- 11359 H&S – Possession for sale of cannabis;
- 11360 H&S – Unlawful transportation, importation, sale, or gift of cannabis;

- 11361 H&S – Unlawful use of a minor to transport, carry, sell, giving away, preparing for sale, any cannabis to a minor, or who furnishes, administers, or gives, or offers to furnish, administer, or give any cannabis to a minor under 14 years of age, or who induces a minor to use cannabis.
- 11363 H&S – Unlawful planting, harvesting, or processing of peyote;
- 11366 H&S – Opening or maintaining place for trafficking in controlled substances;
- 11366.5 H&S – Providing place for manufacture or distribution of controlled substance;
- 11366.6 H&S – Use of place designed to suppress law enforcement entry in order to sell, manufacture, or possess for sale of controlled substance;
- 11368 H&S – Illegal prescription for narcotic drug;
- 11370.1 H&S – Unlawful possession of specified controlled substance while armed with firearm;
- 11378 H&S – Possession for sale;
- 11378.5 H&S – Possession for sale of phencyclidine (PCP) or specified precursors or analogs;
- 11379 H&S – Transporting or Selling of Methamphetamines, Stimulants and other Schedule III, IV, or V controlled substance;
- 11379.5 H&S – Transportation, sale, or distribution of PCP or specified analogs or precursors;
- 11379.6 H&S – Manufacture of controlled substances by chemical extraction or chemical synthesis;
- 11380 H&S – Inducing violation by a minor;
- 11383 H&S – Possession with intent to manufacture PCP;
- 11550 H&S – Use of controlled substance; Drug rehabilitation program;
- 11377(a) H&S – Possession of Schedule III, IV, or V controlled substances; and,
- 11364 H&S – Possession of opium pipe or paraphernalia for unlawfully injecting or smoking controlled substance.

If you have any questions or require additional information, please contact the Office of Constitutional Policing and Policy, at (213) 486-8730.

A handwritten signature in black ink, appearing to read "Moore" followed by a stylized flourish and the initials "FM".

MICHEL R. MOORE
Chief of Police

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