

Agenda Report

TO: CITY COUNCIL **DATE:** OCTOBER 3, 2005

THROUGH: LEGISLATIVE COMMITTEE

FROM: CITY MANAGER

SUBJECT: SUPPORT OF ASSEMBLY BILL 231 (RUNNER) AND SENATE BILL 588 (RUNNER): SEXUAL PREDATOR PUNISHMENT AND CONTROL ACT

RECOMMENDATION

It is recommended that the City Council:

1. Support Assembly Bill 231 (Sharon Runner), which strengthens punishments, expands parole periods, keeps sex offenders away from schools and places where children frequently play, provides tools for tracking and control of paroled offenders and toughens punishments for the use of "date rape" drugs, child pornography and using the internet to lure children into sex crimes.
2. Support Senate Bill 588 (George Runner), which is the same proposed legislation as AB 231, but being carried through the Senate by Senator George Runner, Assembly Member Sharon Runner's spouse.
3. Authorize the Mayor to send correspondence to the appropriate authorities stating Pasadena's position.

BACKGROUND

This bill was introduced to provide greater protection for all Californians, especially children, against sexual predators, who studies show are the least likely to be cured and the most likely to re-offend. Specifically, the legislation:

1. Requires registered sex offenders to wear a global positioning device for the rest of their lives.

2. Establishes the Predator Free Zone (prohibits all registered sex offenders from living within this area) 2,000 feet from parks where kids play, their schools, and places designated by local government (The Kidspace Children's Museum is an example). This would increase the current law of 1,320 feet from elementary schools only for those sex offenders on parole.
3. Allows for an offender to be evaluated as a sexually violent predator after one crime, rather than waiting for a second crime.
4. Increases penalties for the possession of child porn to a felony, and automatically makes it a felony for second or more offenses.
5. Ensures sexually violent predators, prior to their parole, stay in a secure hospital until they can prove to a court they no longer pose a danger to society.
6. Makes it illegal to lure kids into online relationships with lewd intentions as the universal use of the Internet has also ushered in an era of increased risk to our children by predators using this technology that is not easily detectable by law enforcement.
7. Establishes a sentence enhancement of five years for rapists who use a date rape drug.
8. Eliminates "good time" prison credits for habitual sex offenders.
9. Expands parole terms up to 10 years for predators who commit the most heinous crimes.
10. Increases the penalty to life imprisonment for kidnapping for the purpose of child molestation and for assault with the intent to commit sex crimes during a residential burglary.
11. Expands the requirement for mandatory prison sentences and mandatory consecutive sentences for sex crimes.

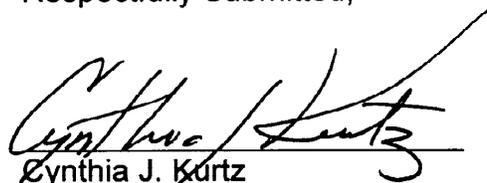
Even though the police department continues to track local sex registrants on a regular basis, when a sex registrant fails to register, an investigation follows which does not always produce the location of the sex registrant and a warrant is issued. This legislation not only increases penalties for persons who commit sex crimes against children, but also makes it easier for law enforcement to track them once they are out of prison. Thus, Staff feels that these bills substantially

increase the police department's ability to combat sexual predators, and greatly increases the safety to our children.

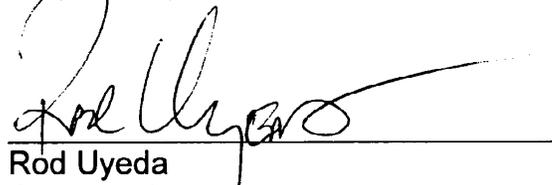
FISCAL IMPACT

There is no direct fiscal impact associated with supporting these bills. However, the future fiscal impact of either or both of these legislative pieces is yet to be determined. Since both are still going through the legislative process, the final outcome would require in-depth analysis to determine costs associated with enforcement, planning and any legal challenges that may be presented if implemented.

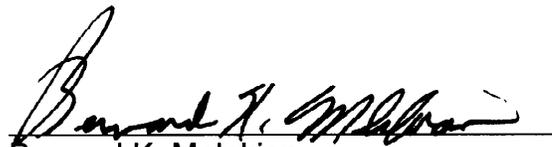
Respectfully Submitted,


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