

# Agenda Report

**TO:** CITY COUNCIL

SEPTEMBER 25, 2006

**THROUGH:** LEGISLATIVE COMMITTEE

**FROM:** CITY MANAGER

**SUBJECT:** SUPPORT FOR PROPOSITION 83 (JESSICA'S LAW): PUNISHMENT, RESIDENCE RESTRICTIONS, AND MONITORING FOR SEX OFFENDERS AND SEXUALLY VIOLENT PREDATORS

## RECOMMENDATION

It is recommended that the City Council support Proposition 83. This proposition addresses punishment, residence restrictions and the monitoring of sex offenders and sexually violent predators.

## BACKGROUND

Proposition 83, commonly known as "Jessica's Law", qualified as a ballot initiative and is slated for the November 7, 2006 statewide ballot. This measure is named in memory of nine-year-old Jessica Lunsford, who was taken from her home in Homosassa, Florida, on February 23, 2005, and found brutally murdered three weeks later. A registered sex offender with an extensive criminal history and outstanding warrants for probation violations confessed to killing Jessica only 150 yards from the home where she had lived with her father and grandparents.

If approved, Proposition 83 does the following:

- Increases penalties for violent and habitual sex offenders and child molesters.
- Prohibits registered sex offenders from residing within 2,000 feet of schools or parks.
- Requires lifetime Global Positioning System (GPS) monitoring of felony registered sex offenders.
- Expands the definition of a sexually violent predator.

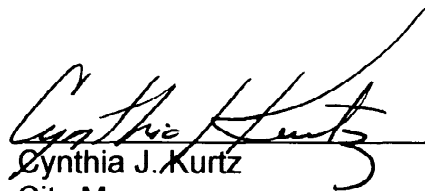
- Changes the current two-year involuntary civil commitment for a sexually violent predator to an indeterminate commitment, subject to annual review by the Director of Mental Health and subsequent ability of sexually violent predator to petition court for sexually violent predator's conditional release or unconditional discharge.

Proposition 83 provides for safer neighborhoods in every California community by increasing incarceration time for convicted sexual offenders, utilizing GPS technology for tracking of felonious sexual offenders once released, creating a more comprehensive sexual violent predator definition and initiating a more protective and flexible release program for sexual offenders to ensure the public's safety.

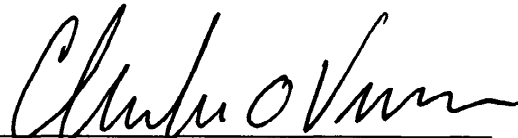
### **FISCAL IMPACT**

This recommendation has no direct fiscal impact on City funds.

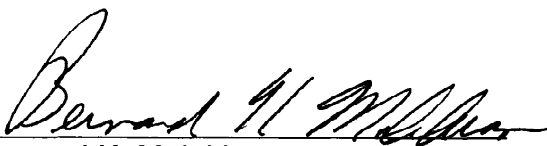
Respectfully submitted,

  
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