



# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

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

### AGENDA ITEM

**DATE:** December 13, 2005

**TO:** Board of Supervisors

**SUBJECT:** SUPPORTING THE PASSAGE OF JESSICA'S LAW (DISTRICT: ALL)

**SUMMARY:**

#### **Overview**

San Diego County has led the fight to better protect residents from dangerous sex offenders. This region is a national model for cooperation and innovation when it comes to tracking, supervising and containing registered sex offenders, and we have made it a priority to raise public awareness about the threat of sex offenders living in our communities. However, we can't do it alone. Progress has been made, but more needs to be done at the state level.

In light of the California State Legislature's failure to act on important sex offender legislation, citizens and community leaders are now pursuing a State initiative called Jessica's Law. Jessica's Law is named after Jessica Lunsford, a 9-year-old Florida girl that was killed by a registered sex offender. Jessica's Law, which is sponsored by Governor Arnold Schwarzenegger, will enhance the effort to better protect children and families from dangerous predators through multiple changes to existing laws, including increasing penalties for sexual assault and kidnapping, requiring GPS tracking, prohibiting sex offenders from living close to schools and parks, and protecting children from internet luring. These are just some of the many necessary changes that Jessica's Law will bring to California, changes that this Board has been seeking for several years.

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

##### **SUPERVISOR JACOB AND SUPERVISOR ROBERTS:**

1. Adopt a resolution entitled:  
Resolution of the San Diego County Board of Supervisors supporting Jessica's Law.
2. Direct the Chief Administrative Officer to draft a letter for the Chair's signature, informing the advocates for Jessica's Law that the San Diego County Board of Supervisors is in full support of Jessica's Law.

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**Fiscal Impact**

There is no fiscal impact associated with this request.

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**BACKGROUND:**

San Diego County has led the fight to better protect residents from dangerous sex offenders. This region is a national model for cooperation and innovation when it comes to tracking, supervising and containing registered sex offenders, and we have made it a priority to raise public awareness about the threat of sex offenders living in our communities. However, we can’t do it alone. Progress has been made, but more needs to be done at the state level.

In light of the California State Legislature’s failure to act on important sex offender legislation, citizens and community leaders are now pursuing a State initiative called Jessica’s Law. Jessica’s Law is named after Jessica Lunsford, a 9-year-old Florida girl that was killed by a registered sex offender. Jessica’s Law, which was sponsored by Governor Arnold Schwarzenegger, will enhance the effort to better protect children and families from dangerous predators through multiple changes to existing laws. Specifically, Jessica’s Law:

- Increases sentences and fines for sexual assault across the board.
- Expands and strengthens our basic sexual assault punishment statutes, including those for “One-Strike” Sex Crimes, “Habitual Sex Offenders,” and “Aggravated Sexual Assault of a Child”.
- 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.
- Expands the requirement for mandatory prison sentences and mandatory consecutive sentences for sex crimes.
- Requires registered sex offenders released on parole to wear a GPS tracking device for life.
- Requires offenders to pay for their own GPS equipment, if they are financially able.
- Prohibits registered sex offenders from living within 2,000 feet of any school or park.
- Allows local governments to include additional sites they deem appropriate, such as a water park.

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- Allows for the designation of predators as sexually violent predators after one offense, rather than waiting for them to strike twice.
- Allows for indefinite commitment to a state hospital until the SVP can prove to a court they no longer fit the criteria.
- Requires SVP’s parole period to toll while in the state hospital so they still have to serve their parole time after discharge.
- Increases parole terms.
- Provides for parole terms of up to 10 years for the most heinous sex offenses.
- Keeps habitual sex offenders off the streets by denying the opportunity to reduce prison terms through the use of “good-time credits”.
- Protects children from internet luring: Allows law-enforcement to act as decoys in order to engage and capture internet predators.
- Increases penalties for possession of child pornography: Allows possession of child pornography to be prosecuted as a felony.
- Imposes an additional 5-year prison term for persons who drug their victims in the commission of specified sexual crimes, such as rape.

Today’s action would adopt a resolution in support of Jessica’s Law. In addition, today’s action will direct the Chief Administrative Officer to draft a letter for the Chair’s signature, informing the advocates for Jessica’s Law that the San Diego County Board of Supervisors is in full support of Jessica’s Law. We urge your support.

Respectfully submitted,

Dianne Jacob  
Supervisor, Second District

Ron Roberts  
Supervisor, Fourth District

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Resolution No. \_\_\_\_\_  
Meeting Date: \_\_\_\_\_

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SAN DIEGO SUPPORTING JESSICA’S LAW**

WHEREAS, dangerous sexual predators have victimized countless adults and children, and rely on secrecy to prey on future victims; and

WHEREAS, California State Legislature has failed to act on important sex offender legislation that would make children and families safer from dangerous predators; and

WHEREAS, Jessica’s Law would increase the penalties for sexual assault and kidnapping, prohibit sex offenders from living within 2000 feet of a school or park, and designate predators as sexually violent predators after one offense; and

WHEREAS, Jessica’s Law would increase the penalties for child pornography and exploitation, require sex offenders on parole to be monitored by Global Positioning Systems, and require sex offenders to renew their drivers’ license annually.

WHEREAS, if placed on the ballot and supported by voters, Jessica’s Law will make a significant impact on enhancing the safety of California residents and preventing sex offenders from committing treacherous acts in the future; and

NOW, THEREFORE, IT IS HEREBY RESOLVED that the San Diego County Board of Supervisors declare its support for Jessica’s Law.