

1 [Urging the California Department of Corrections and Rehabilitation to rescind policy no.07-48
2 regarding Jessica’s Law (PROP 83).]

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4 **Resolution condemning the current policy of the California Department of**
5 **Corrections and Rehabilitation of advising parolees who are unable to secure housing**
6 **compliant with Proposition 83 (“Jessica’s Law”) to declare transience in order to avoid**
7 **incarceration.**

8 WHEREAS, California voters passed Proposition 83 on November 08, 2006, which
9 increases penalties for violent and habitual sex offenders and child molesters, prohibits
10 parolees’ residence near schools and parks, and requires Global Positioning System
11 monitoring of registered sex offenders; and

12 WHEREAS, The California Department of Corrections and Rehabilitation issued a
13 policy memorandum no. 07-48 on October 11, 2007 to regional parole administrators ordering
14 parole officers to advise parolees who are unable to find housing in compliance with Jessica’s
15 law to declare transience in order to avoid incarceration; and

16 WHEREAS, The San Francisco Police Department (SFPD) finds this policy an
17 impediment to the ability of law enforcement to closely monitor sex offenders; and

18 WHEREAS, The SFPD has already seen a spike in paroled sex offenders registering
19 as transient in the month of October; and

20 WHEREAS, This current policy circumvents the public notification process of Megan’s
21 Law; and be it

22 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
23 urge The California Department of Corrections and Rehabilitation to rescind policy (No.07-48);
24 and be it
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1 FURTHER RESOLVED, That the Clerk of the Board of Supervisors send a copy of this
2 resolution to the California Department of Corrections and Rehabilitation, San Francisco Chief
3 of Police, San Francisco Senators Yee and Migden, Assemblywoman Ma, Assemblyman
4 Leno, and Governor Schwarzenegger.

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