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CITY OF SACRAMENTO

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March 5, 1981

City Council
City Hall
Sacramento, California 95814

RE: REGISTRATION OF PAROLEES

Honorable Members in Session:

At the Law and Legislation Committee meeting on February 26, 1981, the Committee took favorable action on the Police Chief's request to seek legislation requiring registration of parolees residing within the City.

A copy of the Police Chief's letter and the Committee minutes are attached. The Committee asked that this material be transmitted to the Council for your information.

Very truly yours,

James P. Jackson
JAMES P. JACKSON
City Attorney

JPJ:KMF

ATTACHMENT

cc: Walter Slipe, City Manager

*send letter supporting
legislation to Greene*
MAR 20 1981

SYNOPSIS OF LAW AND LEGISLATION MEETING OF FEBRUARY 26, 1981

RE: REGISTRATION OF PAROLEES

Police Chief Jack Kearns explained to the Committee that Sacramento has had in the past and continues to have a disproportionate number of parolees released to this area. We have far more convicted felons paroled to this County than we send to prison. Local and statewide statistics indicate that parolees have a greater tendency to commit crime than the average citizen. Chief Kearns asked the Law and Legislation Committee to request legislation which would require parolees to register with local law enforcement.

Councilman Connelly supported this recommendation and asked Chief Kearns what we could do to assure that Sacramento does not get more than its share of parolees.

Chief Kearns explained that because Sacramento is close to three correctional institutions (Folsom, Vacaville and Duel), that families of inmates tend to settle in the Sacramento area. A parolee may be released to a different area from which he originally came from if (1) he has family present in the area; and (2) if he has an offer of employment.

Councilman Connelly indicated that there might be a lawsuit potential against the State. He feels that it is unfair to our community to deal with twice as many parolees as we should.

Chief Kearns indicated that he has spoken with Senator Doolittle and that he is very interested in introducing this legislation.

Mr. Jaball Bond of the Oak Park Human Rights Committee spoke. Mr. Bond indicated that he thought we do not have the legal power to require these men to register. It is an invasion of privacy. He said that the Police Department must go through the parole office if they want to know the location of parolees.

James Jackson, City Attorney, explained that this registration requirement would only apply to people while they are on parole.

The Law and Legislation Committee took the following actions:

1. That Senator Doolittle be asked to sponsor legislation to require any prison parolee to register with the Police Department or Sheriff's Department in the area of the parolee's residence.
2. That the Police Chief and City Attorney look into the possibility of legislation that would limit the number of parolees released to Sacramento.

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3. That the City Attorney determine whether any civil legal recourse is available to the City because of the excess number of parolee's released in Sacramento.

Jim Jackson advised the Committee that under the City legislative policy, this matter did not have to go to the full Council for approval. Councilman Connelly requested that the minutes go to the full Council.



CITY OF SACRAMENTO

DEPARTMENT OF POLICE
HALL OF JUSTICE
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JOHN P. KEARNS
CHIEF OF POLICE

February 18, 1981

REF: 2-23

Law and Legislation Committee
City Council
Sacramento, California 95814

Honorable Members in Session:

SUBJECT: REGISTRATION FOR PAROLEES

SUMMARY

Sacramento has had in the past, and continues to have, a disproportionate number of parolees released to this area. We have more convicted felons paroled to this County than we send to prison. Local and statewide statistics indicate that parolees have a greater tendency to commit crime than the average citizen.

Parolee movement is only slightly regulated by state law. If a parolee moves to another city, he only has to notify his parole officer within 72 hours after he moves. Consequently, local law enforcement is usually unaware of parolee movement and may not be aware that the parolee is residing in the community until after he is arrested.

This report outlines the problem and requests the City Council to urge the State Legislators to enact legislation which would require parolees to register with local law enforcement.

BACKGROUND INFORMATION

A. A DISPROPORTIONATE SHARE OF PRISON PAROLEES ARE RELEASED TO SACRAMENTO

Sacramento has had and continues to have an inordinate number of prison parolees released to this area. In essence, we are receiving more convicted felons on parole than we send to prison.

Between January, 1979, and July, 1980, 1,019 felons from the Department of Corrections (CDC) were paroled to this area. Forty-seven percent (475) were committed from Sacramento County, while fifty-three percent (544) had been committed from other counties.

During this time, period, Sacramento County committed 653 persons to State Prison. Consequently, Sacramento received three parolees for every two prison commitments.

BACKGROUND (cont.)

A similar problem exists with parolees released from the California Youth Authority (CYA) during fiscal year 1978-79 and 1979-80. Sacramento County committed 265 persons to the CYA and had 491 parolees returned. This is a ratio of 1.85 parolees returned for each commitment made by Sacramento County.

This disproportionate share of CDC and CYA parolees to Sacramento County is definitely not in the best interest of this community.

B. PAROLEES ARE INVOLVED IN CRIME

The City and County of Sacramento are being adversely impacted by the disproportionate number of parolees in our area. California statistics for 1979/80 indicate that CYA parolees have a 45 percent recidivism rate and CDC a 26 percent recidivism rate. This is the percentage of parolees returned to a state institution and does not include those who may have received a County Jail sentence.

Figures for this area also indicate that CDC and CYA parolees are responsible for a disproportionate share of criminal offenses. In 1979, 310 parolees were arrested in Sacramento County; in 1980, 446 parolees were arrested, a 44 percent increase.

These figures do not accurately reflect the total involvement of parolees in crime, only those that were apprehended. These figures do support the inference that parolees are more inclined to commit crime than the average citizen.

C. THE POLICE AND PAROLEES

We know that Sacramento County receives an exceptionally large and unequal share of prison parolees, many of whom are involved in criminal activities. This presents a major problem since we do not have a way of identifying all of the parolees who are released in Sacramento or of identifying what parolees may be moving to Sacramento after they have been released to other areas.

The problem is compounded by the fact that we do not have pictures and fingerprints of parolees. Consequently, when we have fingerprints at a crime scene, we are unable to compare them with parolees who have been convicted of similar crimes and used comparable Methods of Operations (M.O.'s). Secondly, if victims have observed suspects during the commission of crimes and are able to identify them, the Police Department does not have photographs of parolees to show the victim.

In summary, local law enforcement does not have the basic tools to conduct an elementary investigation into criminal offenses in which parolees may be involved. Thus, parolees who are committing crimes continue to do so until they are apprehended by other means, i.e., caught in the act. The tragedy of this is that members of this community are subjected to needless criminal acts--rapes, robberies and burglaries.

RECOMMENDATION

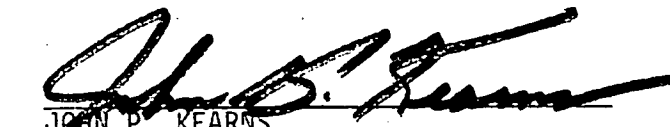
I advocate supporting a parolee registration system which would require any prison parolee to register with the Police Department or Sheriff's Department in the city of the parolee's residence. Since parole is a conditional early release and the burden of conformity and compliance is placed on the parolee, registration should serve to further ensure lawful conduct on his part. The displayed recidivism rate of parolees would support the proposal for more stringent conditions of parole. Any failures to register or report a change of address should result in revocation of parole.

Generally, prison inmates have their sentences reduced by one-third for good behavior. They should not be eligible for parole unless they agree to the registration procedure.

We need controlling legislation regarding parolees. With the aid of organizations which support and encourage progressive legislation, such as the League of California Cities, I urge the Sacramento City Council to support and encourage legislation regarding parolee registration. Your endorsement will help to enhance the capabilities of local law enforcement to provide our community with a safer environment. If the City approves and supports the proposed legislation (see Attachment), I will solicit support from other law enforcement agencies and respective associations.

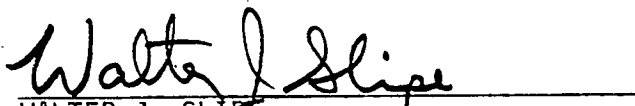
Our primary goal is the protection of lives and property through the maintenance of law and order. Our goal becomes more difficult as our crime rate and parolee population continues to increase. We must meet this problem head on by supporting legislation requiring parolees to register with local law enforcement agencies.

Respectfully submitted,



JOHN P. KEARNS
CHIEF OF POLICE

RECOMMENDATION APPROVED:



WALTER J. SLIFE
CITY MANAGER

JPK:RCB:jt

Attachment

PROPOSED LEGISLATION
REGISTRATION OF PAROLEES

- A. Any person paroled from a state penal institution (California Youth Authority or California Department of Corrections) must within 10 days after his coming into any county or city, or county or city in which he resides, or is temporarily domiciled for such length of time, register with the Chief of Police of the City in which he resides, or the Sheriff of the County if he resides in an unincorporated area.

Such registration shall, as a condition of parole, include the taking of photographs and fingerprints of the person required to register.

- B. Prior to the discharge or parole of any person from a state penal institution, the official in charge of the institution shall, in writing, inform the subject of his requirement to register with the Chief of Police or Sheriff of the locality to which he is paroled.
- C. If any person required to register hereunder changes his residence address, he shall inform, in writing within 10 days, the law enforcement agency with whom he last registered of his new address.



CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

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SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5428

LORRAINE MAGANA
CITY CLERK

MEMORANDUM

TO: JIM JACKSON, LAW AND LEGISLATIVE COMMITTEE

FROM: LORRAINE MAGANA, CITY CLERK *LM*

SUBJECT: REFERRAL TO ITEM 43, COUNCIL AGENDA MARCH 10, 1981

DATE: MARCH 10, 1981

Pursuant to Council action, the following subject matter is referred to you for action:

Law & Legislative Committee action re legislation requiring registration of parolees. For Information Only.

This matter was filed and a letter supporting legislation was to be sent to Greene.

LM:sj

cc: Councilman Pope, Chr.
" Connelly
" Fisher