

B I L L R E F E R R A L

6

ATE: March 29, 1988 COMMITTEE ACTION: _____

TO: CHIEF KEARNS, POLICE DEPARTMENT DATE: _____

FROM: KENNETH EMANUELS, LEGISLATIVE REPRESENTATIVE

REPLY NO LATER THAN: April 12, 1988

A.B. 3723 (Katz) S.B. _____ Relating to gang violence
intervention programs

STATUS:

Please review the attached measure to determine its effect upon the City of Sacramento and complete the following questions as appropriate. During your analysis of this measure, if questions arise, please feel free to contact Kenneth Emanuels at 442-0412. This questionnaire should be returned to the City Attorney's Office for presentation to the Council Committee on Law and Legislation. PLEASE LEAVE THE BILL ATTACHED TO THIS FORM.

If you think no Committee action on this bill should be taken, either because the bill is not of sufficient importance to the City or for any other reason, please mark here, do not fill out the rest of the form, and return this form to the City Attorney's Office. _____.

PLEASE TYPE YOUR RESPONSE

1. Briefly describe the provisions of the bill (attach additional sheets if necessary).

SEE ATTACHED

2. Should this measure be: (Please circle desired position)

(Supported)

Opposed

Supported if Amended

Placed on Watch List

Other (explain)

3. Please explain your reasons for the above determination, including how this measure effects your Department and the fiscal impact of this measure to the City. Please make your comments in a format that can be used in a letter to State officials. (Continue on next page or attach additional sheets if necessary.)

Gang activity is growing at an alarming rate, and has become one of the most pressing problems for law enforcement in Sacramento and throughout California. Research has shown that Anti-Gang School Programs presented during the 5th Grade are extremely effective in discouraging pre-teens from joining gangs, thus wiping out the base for future gang membership. AB 3723, in effect, has accepted this research, and now requires the State Department of Education to develop regional gang violence intervention programs.

(Cont.)

Grade School educational programs are among the best tools available for discouraging future gang membership. It is in the best interest of our youth, their parents, the teachers, the schools, the community and law enforcement that gangs be exposed in an educational setting and that alternatives be shown.

The immediate impact of this measure will be negligible. It is, however, a commitment to the future and the hope of reducing long range criminal activity.

4. Specify the City's legislative policy guideline(s) applicable to this measure (if any).

5. If this measure could be amended to either improve its favorable aspects or to minimize its adverse aspects, which amendments would you propose?

6. List known support or opposition to this measure by groups with which you are familiar and include addresses and phone numbers, if known. League of California Cities position:

7. Does this bill involve a State-mandated local program? If so, does the bill contain an S.B. 90 waiver, or an appropriation for allocation and disbursement to local agencies pursuant to Revenue and Taxation Code Section 2231?

This measure is a state mandated program for the State Department of Education. If reimbursement claims are less than \$500,000, reimbursement shall be made from the State mandated claim fund. If claims are in excess of \$500,000, reimbursement shall be made according to the government code commencing with Section 17500.

8. Using a rating scale of 1 to 10 (with 10 as the most important), how important do you think this bill is to the City of Sacramento?

8

FORM COMPLETED BY: LT R. AUSTIN

DATE: 4-1-88

(Attachment)

AB 3723

Bill Provisions

1. Requires the State Department of Education to develop regional community based gang violence intervention programs for grades K-9 with priority emphasis at grades 4/5.
2. Requires the program to target schools most adversely affected by gang violence.
3. Requires the program to identify at risk students by profile.
4. Encourages the use of local community organizations to staff and develop on-campus programs. Requires a 20 hour/week counselor at each targeted school.
5. Permits the program to provide for counseling of targeted students, parents and families.
6. Requires a job training component for at-risk student and encourages apprenticeship programs in coordination with local businesses.

ASSEMBLY BILL**No. 3723****Introduced by Assembly Member Katz****February 18, 1988**

An act to add Section 33355 to the Education Code, relating to gang violence intervention programs.

LEGISLATIVE COUNSEL'S DIGEST

AB 3723, as introduced, Katz. Gang violence intervention programs.

Existing law establishes a statewide system of free public education provided by elementary and secondary schools in local school districts and regulated by a State Board of Education and a State Department of Education.

This bill would make certain findings and declarations concerning gang violence and declare the intent to develop a program to provide positive interventions in the schools to fight gang violence.

The bill would require the State Department of Education to develop regional community-based gang violence intervention programs for consideration and approval by the State Board of Education. The bill would specify the content of these programs and impose various requirements upon local schools. The imposition of these requirements upon local schools would constitute a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement, including the creation of a State Mandates Claims Fund to pay the costs of mandates which do not exceed \$500,000 statewide and other procedures for claims whose statewide costs exceed \$500,000.

This bill would provide that, if the Commission on State

Mandates determines that this bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to those statutory procedures and, if the statewide cost does not exceed \$500,000, shall be made from the State Mandates Claims Fund.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares gang
2 violence can be effectively reduced in California schools
3 through the involvement of parents, community
4 organizations, and people with a firsthand knowledge of
5 the problem.

6 The Legislature further finds and declares that a strong
7 and consistent relationship between the home and
8 schools would facilitate the learning process and
9 inevitably help control problems associated with gang
10 violence.

11 The Legislature further finds and declares that gang
12 violence has caused a tremendous strain on the progress
13 of the communities which they impact. The loss of life,
14 property, and positive opportunity for growth caused by
15 gang violence has reached an intolerable level.

16 It is the intent of the Legislature in enacting this act to
17 develop a program utilizing the existing organizations in
18 communities to provide positive interventions in the
19 schools to fight gang violence.

20 SEC. 2. Section 33355 is added to the Education Code,
21 to read:

22 33355. (a) The State Department of Education shall
23 develop regional community-based gang violence
24 intervention programs for consideration and approval by
25 the State Board of Education. These programs shall be
26 focused at the kindergarten through 9th grade levels and
27 coordinated through local community-based
28 organizations. Initial priority shall be made for targeted
29 students at the 4th- and 5th-grade levels.

30 (b) Each regional community-based gang violence

1 intervention program shall target schools most adversely
2 affected by gang violence.

3 (c) Each regional community based gang violence
4 intervention program shall develop criteria to identify
5 at-risk students by profile which may include:

6 (1) Observations of negative behavior in school
7 settings.

8 (2) Existence of gang-affiliated relatives and friends.

9 (3) Active interest in gang symbols and dress.

10 (d) Each regional community-based gang violence
11 intervention program shall, to the extent possible, utilize
12 existing community organizations, such as religious and
13 ethnic associations, and their personnel, to staff and
14 develop programs on school campuses. Every school
15 identified by the regional community-based gang
16 violence intervention program shall have on campus at
17 least 20 hours per week, one individual to develop school
18 programs and provide direct counseling to at-risk
19 students.

20 (e) Programs for the at-risk students may include
21 counseling for targeted students, parents, and families,
22 individually and collectively, and targeted students'
23 exposure to positive activities.

24 (f) Programs for the at-risk students shall include
25 some type of job training, which may include apprentice
26 programs in coordination with local businesses, job skills
27 development at the school, or information about
28 vocational opportunities in the community.

29 SEC. 3. Notwithstanding Section 17610 of the
30 Government Code, if the Commission on State Mandates
31 determines that this act contains costs mandated by the
32 state, reimbursement to local agencies and school
33 districts for those costs shall be made pursuant to Part 7
34 (commencing with Section 17500) of Division 4 of Title
35 2 of the Government Code. If the statewide cost of the
36 claim for reimbursement does not exceed five hundred
37 thousand dollars (\$500,000), reimbursement shall be
38 made from the State Mandates Claims Fund.

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