

1-1-2005

The Safe Schools and Parks Act of 2006

Follow this and additional works at: http://repository.uchastings.edu/ca_ballot_inits

Recommended Citation

The Safe Schools and Parks Act of 2006 (2005).
http://repository.uchastings.edu/ca_ballot_inits/1307

This Initiative is brought to you for free and open access by the California Ballot Propositions and Initiatives at UC Hastings Scholarship Repository. It has been accepted for inclusion in Initiatives by an authorized administrator of UC Hastings Scholarship Repository. For more information, please contact marcusc@uchastings.edu.

June 3, 2005

Ms. Tricia Knight
Initiative Coordinator
Office of the Attorney General
State of California
PO BOX 994255
Sacramento, CA 94244-25550

RECEIVED

JUN 07 2005

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Re: Request for Title & Summary for proposed initiative

Dear Ms. Knight:

Pursuant to Article II, Section 10(d) of the California Constitution, we are submitting the attached proposed statewide ballot measure, the Safe Schools Act of 2006, to your office and request that you prepare a title and summary of the measure as provided by law. I have also included a check to cover the \$200 filing fee.

Thank you for your time and attention to this matter. If you require additional information or have any questions, please feel free to contact Dave Gilliard, 921 11th Street, Suite 400, Sacramento, CA 95814, (916)-444-1502.

Very truly yours,

Richard D. Gann

Section I. Title. This measure shall be known, and may be cited, as "The Safe Schools and Parks Act of 2006".

Section II. Finding and Declarations

The people of the State of California have the right to safe schools and parks where children can learn and play without being victimized. Current law does not do enough to protect children at school and in public parks from child molesters and sex offenders, who are among the most likely to recommit their offenses once released from state prison. Therefore, the people find it necessary to enact the Safe Schools and Parks Act of 2006.

Section III. Permanent Extension of Specialized Parole Supervision for High Risk Sex Offenders.

Section 3005 of the California Penal Code is hereby amended as follows:

3005. (a) The Department of Corrections, to the maximum extent practicable and feasible, and subject to legislative appropriation of necessary funds, shall ensure, by July 1, 2001, that all parolees under active supervision and deemed to pose a high risk to the public of committing violent sex crimes shall be placed on an intensive and specialized parole supervision caseload.

(b) The Department of Corrections shall develop and, at the discretion of the director, and subject to an appropriation of the necessary funds, may implement a plan for the implementation of relapse prevention treatment programs, and the provision of other services deemed necessary by the department, in conjunction with intensive and specialized parole supervision, to reduce the recidivism of high-risk sex offenders.

(c) The Department of Corrections shall study the effects of this legislation on recidivism rates of parolees. The study shall be a two-year analysis completed by January 1, 2003, with an initial report to the Legislature on or before January 1, 2004, and a final report on or before January 1, 2006.

~~(d) This section shall remain in effect only until July 1, 2006, and as of that date is repealed, unless a later enacted statute, that is enacted before July 1, 2006, deletes or extends that date.~~ This section is hereby made permanent.

Section IV. Creation of Safe School and Park Zones.

Section 3005.1 is hereby added to the California Penal Code as follows:

3005.1 (a) An inmate who is released on parole for any violation of Section 288 or 288.5 shall not be allowed, for the duration of his or her period of parole, under any circumstances, within two and one-half miles of any public or private pre-elementary, elementary, secondary, or post-secondary school or within two and one-half miles of any park with public access.

(b) Any violation of this section shall constitute a violation of parole. Immediately upon violation of this section, a parolee shall be returned to prison pursuant to Section 3060, and the parole authority shall revoke his or her parole. This provision shall not apply to the transit of a parolee under custody.

Section 3005.2 is hereby added to the California Penal Code as follows:

3005.2 (a) Any person who has been or is hereafter convicted in any court of a violation of Section 288 or Section 288.5 or any statutory predecessor, or of any offense that if committed in this state would have been punishable under these sections or statutory predecessors, and enters within two and one half miles of any public or private pre-elementary, elementary, secondary, or post-secondary school, or within two and one-half miles of any park with public access, shall be punished by imprisonment in a state prison for two, three, or four years.

Section V. Liberal Construction. The provisions of this Act shall be liberally construed to effectuate its purposes of preventing interaction between convicted high-risk sex offenders and students.

Section VI. Severability. If any provision of this Act, or part thereof, is for any reason held to be invalid or unconstitutional, the remaining sections shall not be affected, but shall remain in full force and effect, and to this end the provisions of this act are severable.