



# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

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

### AGENDA ITEM

**DATE:** October 9, 2001

**TO:** Board of Supervisors

**SUBJECT:** **Developing a Strategy to Monitor Sexually Violent Predators** (District: All)

**SUMMARY:**

#### **Overview**

A new State law went into effect in January of 1996, mandating that sexually violent predators be released into their home counties when the state deems them "cured".

As of September 19, 2001, 46 men have been committed to Atascadero State Hospital from San Diego County as Sexually Violent Predators. Treatment programs usually consist of a multi-phased program where promotion is based on the individual's progress. The last phase is release into the community. Currently, several individuals originally from this County are nearing their final phase, release.

Because of the particularly violent nature of these individuals and the uncertainty of their ability to be rehabilitated, today's item seeks to first and foremost prevent their reintroduction into the community. However, because current state law mandates they be released, at the least, San Diego County must prepare a public safety strategy prior to release that will effectively supervise and monitor these sexually violent predators. Furthermore, the County must seek legislation supporting mandatory victim notification.

Unfortunately, inaction by the County may result in the State contracting with an outside vendor to monitor sexually violent predators. This vendor may be based outside the region and therefore be unfamiliar with San Diego County. This must not be an option. Furthermore, it appears that a sexually violent predator from the County of San Diego may be released within the next 30-60 days making it even more imperative to develop and implement a local plan.

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

##### **SUPERVISOR JACOB AND SUPERVISOR COX:**

1. Direct the Chief Administrative Officer to aggressively pursue alternatives to prevent the release of Sexually Violent Predators.

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2. Direct the Chief Administrative Officer to develop an advance team consisting of the CSOM (Center for Sex Offender Management) Grant Planning Committee and representatives from other appropriate agencies to develop a comprehensive strategy for the County of San Diego to manage sexually violent predators who will be returning to the communities of San Diego as mandated under existing statutes and present this plan to the Board in 30 days.
3. Direct the Chief Administrative Officer to pursue appropriate State legislation to include mandatory victim notification of the release of sexually violent predators, which is not a requirement under Megan's Law.

**Fiscal Impact**

There are no fiscal impacts associated with these recommendations.

**BACKGROUND:**

Due to concerns regarding the risk to public safety resulting from violent, mentally disordered sex offenders being released from prison, the Legislature enacted Assembly Bill 888 (Rogan, 1995) that went into effect on January 1, 1996. The new law (WIC 6600 *et seq.*) provided for the civil commitment of people deemed likely to commit sexually violent acts in the future following completion of their prison sentences. The Legislature intended that such Sexually Violent Predators be confined at Atascadero State Hospital and treated until they are no longer a threat to society.

Some of these individuals include Patrick Ghilotti, the Lincoln Avenue Rapist from Marin County and Doug Badger of San Diego, a schizophrenic, sexual sadist, who sexually assaulted a total of nine people between 1974 and 1991.

As of September 19, 2001, 46 men have been committed to Atascadero State Hospital from San Diego County as Sexually Violent Predators. This number represents 14 percent of State's sexually violent predator population of 329. Rehabilitation programs for these individuals usually consist of a multi-phased program where promotion is based on the individual's progress and the last phase is reintroduction into the community. Currently, several individuals originally from this County are nearing their final phase, release.

Preventing these violent individuals from release into our neighborhoods is the number one priority. However, because of the state mandate, this region must be prepared in the event that these predators are released. It is critical that public safety agencies be prepared to monitor these offenders so that are never again given the opportunity to sexually abuse.

One alternative could be to have these individuals supervised under the County's Probation Department, which recently was a recipient as well as the project coordinator of the Federal Center for Sex Offender Management (CSOM) grant planning committee. The purpose of this committee was to assess how different regions would address the management of sexual offenders upon release. Because of the Probation Department's role in the CSOM grant program, the department has a head start on planning for this task. Under the direction of the Probation Department, the County can closely supervise and monitor these individuals. Utilizing the Global

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Position Tracking System, officials and probation staff will have data as to where these individuals are at all times. Furthermore, by implementing a mandatory victim notification policy, victims will be afforded the knowledge and opportunity to adjust their life style if they feel they are in danger before the predator's release.

Unfortunately, inaction by the County may result in the State contracting with an outside vendor to monitor sexually violent predators. This vendor may be based outside the region and therefore be unfamiliar with San Diego County. This must not be an option. Furthermore, it appears that a sexually violent predator from the County of San Diego may be released within the next 30-60 days making it even more imperative to develop and implement a local plan.

Because of the particularly violent nature of these individuals and the uncertainty of their ability to be rehabilitated, today's item seeks to prevent their reintroduction into the community and, at the least, to prepare a public safety based strategy of monitoring these sexually violent predators as they are reintroduced into our neighborhoods.

We need to protect our citizens by preventing the release of sexually violent predators. Simultaneously, we must develop a comprehensive strategy to strictly monitor these individuals if they are reintroduced into our neighborhoods. We urge your support.

Respectfully submitted,

DIANNE JACOB  
Supervisor, Second District

GREG COX  
Supervisor, First District



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**AGENDA ITEM INFORMATION SHEET**  
(continued)

**PREVIOUS RELEVANT BOARD ACTIONS:**

**BOARD POLICIES APPLICABLE:**

**BOARD POLICY STATEMENTS:**

**CONTRACT NUMBER(S):**

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**FISCAL IMPACT STATEMENT**

**DEPARTMENT:**

**PROGRAM:**

**PROPOSAL:**

			FUTURE YEARS ESTIMATED BUDGET OF PROPOSAL IF ADOPTED	
(a)	(b)	(c)	(d)	(e)
Budgeted Amount For Proposal	Proposed Change in Budgeted Amount	Proposed Revised Current Year Budget (a+b)	1st Subsequent Year	2nd Subsequent Year

Direct Cost

Revenue/Other Offset

**NET GENERAL  
FUND COST**

Staff Years

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Sources of Revenue/Other Offset for Proposed Change and Subsequent Years:

**Space-Related Impacts:** Will this proposal result in any additional space requirements?  Yes  N/A

**Support/Other Departmental Impacts:**  Yes  N/A

**Remarks:**  Yes  N/A