



**DIANNE JACOB**  
SUPERVISOR, SECOND DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

**AGENDA ITEM**

**DATE:** May 10, 2011

**31**

**TO:** Board of Supervisors

**SUBJECT:** SUPPORT FOR STRONGER LAWS AGAINST SEX OFFENDERS  
(DISTRICT: ALL)

**SUMMARY:**

**Overview**

After the horrific murder of Danielle Van Dam, I brought forward an action in March of 2002 to establish the first countywide sex offender Internet pin map in the State of California, and call on the State of California to increase the availability of Megan's Law information to the public.

Since that action, I was pleased to partner at different times with Supervisors Cox, Roberts, and Slater-Price on 14 separate board actions to strengthen laws against these heinous offenders, secure additional resources for law enforcement, and enhance public awareness about the dangers of registered sex offenders.

Most recently, I partnered with Sheriff Bill Gore, District Attorney Bonnie Dumanis, and other law enforcement agencies in the region to toughen laws and tackle the issue of human trafficking and the sexual exploitation of underage girls. Through these efforts, we were successful in working with Assemblyman Marty Block to author legislation that would add pimping, pandering and human trafficking to the list of primary activities outlined in the penal code required to define a criminal street gang.

Several pieces of state legislation regarding registered sex offenders and human trafficking have been introduced and warrant support from the County of San Diego. Although some of these bills have met resistance in the State Legislature this session the policy ideas contained in the measures have merit and should continue to be pursued. Today's action adds to the County's Legislative Program the proposals in numerous pieces of legislation that continue the effort to prevent registered sex offenders from harming children, and authorizes the Chief Administrative Officer to support those bills that are still active.

**Recommendation(s)**

**SUBJECT: SUPPORT FOR STRONGER LAWS AGAINST SEX OFFENDERS  
(DISTRICTS: ALL)**

**SUPERVISOR JACOB**

1. Direct the Chief Administrative Officer (CAO) to communicate verbally and in writing this Board of Supervisors' support to San Diego County's legislative representatives in Sacramento and to the appropriate members of the State Legislature and Administration for the following sex offender legislation:
  - AB 193 (Knight) Polling Place Designation
  - AB 543 (Torres) Sex Offenders: Social Networking Prohibition
  - AB 653 (Galgiani) Sex Offenders: Registration of Internet Accounts and Identifiers
  - AB 755 (Galgiani) Sex Offenders: California Electronic Security and Targeting of Online Predators (CAL E-STOP)
  - AB 757 (Blumenfeld) Sex Offenders: Public Information
  - AB 885 (Cook) Vehicles: Driver's Licenses and Identification Cards: Issuance and Renewal: Registered Sex Offenders
  - SB 57 (Runner) Sex Offenders: Social Networking and Online Address Notification Requirement
  - SB 622 (Corbett) Sex Offenders: Registration
2. Direct the CAO to include the following policy statements in the County's Legislative Program:

Support legislation that prohibits a polling place from being designated as a single-family residence where a registered sex offender resides.

Support legislation that prohibits a person mandated to register as a sex offender from using any Internet social networking website if the victim of the offense was under 18 years of age at the time of the offense and the Internet was used in the commission of the crime.

Support legislation that requires any person mandated to register as a sex offender who adds or changes his or her account with an Internet services provider or changes an Internet identifier, to send a written notice to the law enforcement agency where he or she last registered.

Support legislation that would require registered sex offenders from other states to register as sex offenders in California should these individuals choose to reside in

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California.

Support legislation that would require the metallic information strip on a Department of Motor Vehicle (DMV) license or identification card to include information such as sexually violent predator status or conviction of a sex offense against a minor.

Support legislation that permits any law enforcement agency that believes that public safety may be compromised by allowing a convicted sex offender to be excluded from public posting on the Megan's Law website to recommend that the Department of Justice make information about the offender available on the public website. |

**Fiscal Impact**

There is no fiscal impact associated with these actions.

**Business Impact Statement**

N/A

**Advisory Board Statement**

N/A

**BACKGROUND:**

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Since that action, I was pleased to partner at different times with Supervisors Cox, Roberts, and Slater-Price on 14 separate board actions to strengthen laws against these heinous offenders, secure additional resources for law enforcement, and enhance public awareness about the dangers of registered sex offenders.

Most recently, I partnered with Sheriff Bill Gore, District Attorney Bonnie Dumanis, and other law enforcement agencies in the region to toughen laws and tackle the issue of human trafficking and the sexual exploitation of underage girls. Through these efforts, we were successful in working with Assemblyman Marty Block to author legislation that would add pimping, pandering and human trafficking to the list of primary activities outlined in the penal code required to define a criminal street gang.

Several pieces of state legislation regarding registered sex offenders and human trafficking have been introduced and warrant support from the County of San Diego. Although some of these bills have met resistance in the State Legislature this session the policy ideas contained in the measures have merit and should continue to be pursued. Today's action adds to the County's Legislative Program the proposals in numerous pieces of legislation that continue the effort to

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prevent registered sex offenders from harming children, and authorizes the Chief Administrative Officer to support those bills that are still active.

Included in this action are the following pieces of legislation:

**AB 193 (Knight) Polling Place Designation**

Assembly Bill 193 prohibits a polling place from being designated as a single-family residence where a sex offender resides and requires elections officials to consult the sex offenders' database maintained by the Department of Justice, commonly known as Megan's Law, prior to designating a single-family residence a polling place.

**AB 543 (Torres) Sex Offenders: Social Networking Prohibition**

Assembly Bill 543 would make it a misdemeanor for any person who is granted probation or placed on parole for the conviction of a crime that requires him or her to register as a sex offender to use any Internet social networking website during that period of probation or parole if the victim of the offense was under 18 years of age at the time of the offense and the Internet was used in the commission of the crime.

**AB 653 (Galgiani) Sex Offenders: Registration of Internet Accounts and Identifiers**

Assembly Bill 653 requires a person mandated to register under the Sex Offender Registration Act to register within five working days if any of the following occur: the person changes his or her name, the person establishes an Internet account with an Internet service provider, or the person creates or uses an Internet identifier that they have not previously disclosed.

**AB 755 (Galgiani) Sex Offenders: California Electronic Security and Targeting of Online Predators (CAL E-STOP)**

Assembly Bill 755 requires that a person mandated to register as a sex offender to inform the law enforcement agency with which he or she last registered of all Internet service providers and requires this person to sign a statement acknowledging this responsibility. This bill requires any registered sex offender who adds or changes his or her account with an Internet services provider to send a written notice to the law enforcement agency where he or she last registered within 24 hours.

**AB 757 (Blumenfield) Sex Offenders: Public Information**

Existing law provides that with respect to a person who has been convicted of specified sex crimes, the Department of Justice (DOJ) shall make available to the public via Megan's Law website certain identifying and criminal history information. Current law provides an opportunity for persons who have been convicted of the specified crimes, including but not limited to, sexual battery and misdemeanor molesting of a child, to file an application to be excluded from the Megan's Law website. Regarding these individuals, Assembly Bill 757 provides that if at any time after exclusion, if any law enforcement agency notifies the DOJ that, based on facts known to the agency about the offender, the agency believes that public safety may be compromised by the continued exclusion of the offender from the Megan's Law website,

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the DOJ shall provide 30 days notice to the offender and make information about the offender available to the public on the website.

**AB 885 (Cook) Vehicles: Driver's Licenses and Identification Cards: Issuance and Renewal: Registered Sex Offenders**

Assembly Bill 885 proposes that the Department of Motor Vehicles (DMV), upon renewal of a driver's license or identification card to a person required to be registered as a sex offender who was adjudicated to be a sexually violent predator or was convicted of a sex offense against a minor, is required to include this information in the metallic strip of the license or ID card. This bill requires the applicant to provide a current photograph and address verification to the DMV for the original license and for each renewal.

**SB 57 (Runner) Sex Offenders: Social Networking and Online Address Notification Requirement**

Senate Bill 57 would, commencing January 1, 2013, requires a person who is mandated to register as a sex offender to provide to the law enforcement agency with which he or she last registered of all of his or her online names, addresses, e-mail addresses, and instant messaging user names for all of his or her accounts on social networking websites at the time of original registration or any subsequent registration and within 30 days of establishing a new online name, address, or account.

**SB 622 (Corbett) Sex Offenders: Registration**

Senate Bill 622 clarifies that sex offender registration in California for an out-of-state conviction is based on the elements of the conviction offense or proven or stipulated facts in the record of conviction. SB 622 requires sex offender registration in California if a person would be required to register while residing in the state of conviction for a sex offense committed in that state.

I urge your support.

Respectfully submitted,

DIANNE JACOB  
Supervisor, Second District

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**AGENDA ITEM INFORMATION SHEET**

**REQUIRES FOUR VOTES:**         Yes       No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION 1000.1 REQUIRED**  
    Yes       No

**PREVIOUS RELEVANT BOARD ACTIONS:**  
N/A

**BOARD POLICIES APPLICABLE:**  
N/A

**BOARD POLICY STATEMENTS:**  
N/A

**MANDATORY COMPLIANCE:**  
N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**  
N/A

**ORIGINATING DEPARTMENT:** District 2, Board of Supervisors

**OTHER CONCURRENCE(S):**    N/A

**CONTACT PERSON(S):**

Bob Spanbauer	_____	_____
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