

1 associated with the May 25th demonstration such that the Department's ability to maintain public peace and
2 order is at stake.

3 **Section 2. Statement of Purpose and Intent.**

4 A. The Board of Supervisors has determined that those persons convicted of
5 felony sexual offenses are required by California Penal Code § 290 to register their presence
6 in a community with a local law enforcement agency within five working days of coming
7 into the community to reside. The Board of Supervisors has further determined that such
8 registrants are insufficiently supervised by the State of California Parole Board such that
9 registrants are able to commit additional deviant sexual offenses some of which have even
10 lead to the senseless murder of their innocent victims because of the State of California's
11 insubordination in not following their policies.

12 B. The Board of Supervisors has further determined that the State of California
13 Department of Corrections is obligated by California Penal Code § 3005 to place all
14 parolees who are deemed to be high-risk sex offenders into an intensive and specialized
15 parole supervision caseload. However, the supervision requirements imposed by California
16 Penal Code § 3005 are subject to the legislative appropriation of necessary funds to carry out
17 the supervision program and thus sexual predators may not be monitored and hence may
18 recommit sexual offenses. The Board of Supervisors has further determined that such high-
19 risk sex offenders are insufficiently supervised by the State of California Department of
20 Corrections due to the lack of necessary funds to carry out an adequate supervision program.
21 The Board of Supervisors has further determined that the lack of supervision of high-risk
22 sex offenders leads to situations where such persons are able to commit additional sexual
23 offenses some of which have even lead to the senseless murder of their victims. Because the
24 State of California does not have the resources to protect the health and safety of it's
25 residents in response to registered sexual offenders released in California, the County of
26 Riverside will assume these public safety responsibilities in our County, to prevent the
27 unnecessary victimization of our citizens to sexual predators.
28

1 **Section 3. Notification.** The State of California Parole Board shall provide sixty (60) days
2 notice to the County of Riverside before releasing any person convicted of a felony sexual offense, and
3 who is subject to the registration requirements of California Penal Code § 290, within the unincorporated
4 area of Riverside County. Said notification is necessary in order that the Riverside County Sheriff's
5 Department will have sufficient time to alert residents to the identity and address of a registrant coming into
6 the community, and ensure that the registrant not be within one and one-half (1 and 1/2) miles of any
7 school, preschool, daycare center, library, park, recreational facility or any place where minors congregate.

8 **Section 4. Supervision and Monitoring.**

9 **A.** The Judiciary of the State of California shall provide monitoring through duly authorized
10 court personnel (excluding any family members of perpetrator) of any person convicted of a
11 felony sexual offense, and subject to the registration requirements by California Penal Code
12 § 290, who is released within the unincorporated area of Riverside County. Said monitoring
13 requirement would apply to the initial ninety (90) day period of release and placement of a
14 registrant within the unincorporated area of Riverside County and would be at the registrant's
15 expense. In the event that the registrant lacks the financial capacity to pay for participation
16 in the court's monitoring program the registrant shall be placed in a supervised institution
17 provided by the State of California to meet the ninety (90) day monitoring period
18 requirement imposed by this section.

19 **B.** The registrant shall be required to wear a tamper-proof global positioning device at all times
20 such that it will alert local law enforcement authorities when such registrant comes within
21 one and one-half (1 and 1/2) miles of any school, preschool, daycare center, library, park,
22 recreational facility or any place where minors congregate, without the express permission of
23 a parole officer or a peace officer from the Riverside County Sheriff's Department.
24 Tampering with the global positioning device required by this section in any way to prevent
25 its operation shall constitute a parole violation and a felony offense by the registrant.

26 **C.** The District Attorney may petition the court to seek appropriate relief under the remedies
27 provided by state and federal law to protect the health and safety of members of the public
28 prior to the release any person convicted of a felony sexual offense, and subject to the

1 registration requirements by California Penal Code § 290, who is to be released within the
2 unincorporated area of Riverside County.

3 **D.** Sexual registrant will not drive a motorized vehicle or be a passenger in a motorized vehicle
4 in the presence of a minor as a condition of parole.

5 **Section 5.** **Severability.** If any portion, provision, section, paragraph, sentence, or word of this
6 Ordinance is rendered or declared to be invalid by any final court action in a court of competent
7 jurisdiction, or by reason of any preemptive legislation, the remaining portions, provisions, sections,
8 paragraphs, sentences, and words of this Ordinance shall remain in full force and effect and shall be
9 interpreted by the court so as to give effect to such remaining portions of the Ordinance. Furthermore,
10 should this ordinance be ruled unenforceable due to preemption or any other cause, the Board of
11 Supervisors hereby converts this ordinance into a resolution included with the following language replacing
12 County of Riverside with State of California:

13 Let it be resolved, that through the initiative process, the following additions and
14 modifications to existing laws and statutes, be amended in language approved by the State Attorney
15 General, so that signatures from registered voters in the state of California can be legally obtained to make
16 these changes strengthening the laws in the State of California pertaining to the protection of the residents
17 of the State of California to the release of known sexual registrants.

18 **Section 6.** This ordinance shall take effect immediately after its adoption.

19
20 BOARD OF SUPERVISORS OF THE COUNTY
21 OF RIVERSIDE, STATE OF CALIFORNIA

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23 By: _____
24 Chairman, Board of Supervisors

25
26 ATTESTED:

27 NANCY ROMERO
28 Clerk to the Board

1 By: _____
Deputy

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