

SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA



FROM: Supervisor Buster and Supervisor Ashley SUBMITTAL DATE: June 28, 2005

SUBJECT: Position on Pending State Legislation, AB 1120

RECOMMENDED MOTION: That the Board adopt Resolution 2005-337 in support of AB 1120 and direct the Executive Office and the Board's Sacramento office to advocate the Board's position.

Bob Buster

Supervisor Bob Buster

Marion Ashley

Supervisor Marion Ashley

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3 **RESOLUTION NO. 2005-337**
4 **IN SUPPORT OF ASSEMBLY BILL 1120**
5 **RELATING TO PLACEMENT OF**
6 **CERTAIN PAROLED HIGH-RISK SEXUAL OFFENDERS**

7 **WHEREAS**, the May 5, 2005 release into Riverside County of David Allyn
8 Dokich, a high-risk sexual predator and parolee, twice-convicted of raping girls, allowed
9 insufficient time for vital notifications and preparations to ensure the safety of the
community and of Mr. Dokich; and,

10 **WHEREAS**, Assembly Bill 1120 seeks to amend the California Penal and
11 Welfare and Institutions Codes to allow the Department of Corrections to place an
12 additional 45 day hold on the release of high risk sex offenders from prison in the event
they are rejected for Sexually Violent Predator (SVP) status; and,

13 **WHEREAS**, these amendments would mandate personal telephone notification
14 to designated officials in the District Attorney's Office and Local Police/Sheriff's offices,
15 in addition to existing written notifications already required by existing law; and,

16 **WHEREAS**, AB 1120 would establish a Law Enforcement Consortium to allow
17 local law enforcement officials to work with the Department of Corrections in a formal
18 collaborative process to address issues relating to offender re-entry, with the goal of
increased public safety; and,

19 **WHEREAS**, Assembly Member John Benoit introduced this legislation, with the
20 support of the Department of Corrections, as an urgency measure to prevent a
21 reoccurrence of problems associated with the placements of certain paroled high-risk
sex offenders; now, therefore,

22 **BE IT RESOLVED** that the Board of Supervisors of the County of Riverside,
23 State of California, in regular session assembled on June 28, 2005, express strong
24 support for AB 1120, a Sex Offender Parole Reform bill, to correct problems associated
25 with the Dokich release and allow local law enforcement and parole staff sufficient time
to collaborate on future placement concerns, supervision plans and community notice;
and,

1 **BE IT FURTHER RESOLVED** that the Clerk of the Riverside County Board of
2 Supervisors be directed to send a copy of this resolution to John J. Benoit, Assembly
3 Member, Sixty-fourth District, California State Capitol, Room 4144, Sacramento,
4 California, 94249-0064.

5
6 **AYES:**

7 **NOES:**

8 **ABSENT**

9 **ABSTAINED**

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JOHN J. BENOIT

ASSEMBLYMEMBER, SIXTY-FOURTH DISTRICT
STATE CAPITOL, ROOM 4144
TEL: 916.319.2064
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AB 1120 – SEX OFFENDER PAROLE REFORM

PURPOSE

AB 1120 seeks to prevent a reoccurrence of problems associated with the placements of certain paroled high-risk sex offenders.

SUMMARY

- Allows the Department of Corrections to place an additional 45 day hold on the release of high risk sex offenders from prison in the event they are rejected for Sexually Violent Predator (SVP) status.
- Mandates personal telephone notification to designated officials in the District Attorneys Office and Local Police/Sheriff's offices, in addition to existing written notifications already required by existing law.
- Establishes a Law Enforcement Consortium to allow local law enforcement officials to work with the Department of Corrections in a formal collaborative process to address issues relating to offender re-entry, with the goal of increased public safety.

BACKGROUND

On May 5, 2005, a dangerous convicted sex offender named David Allyn Dokich was released from prison into Mead Valley, a small community in the 64th Assembly District. Dokich is a high-risk sexual predator. In 1987, Dokich was convicted of nine counts of forcible rape and oral copulation against a 16-year-old Lake Elsinore girl and sentenced to 35 years in prison. He had previously served time for raping an Orange County girl in 1982.

When he was sentenced, he told the court, "Thirty-five years? I may as well kill the next one." Now, after serving only half of his sentence, he is out on parole. Dokich was released early because the law he was sentenced under allows criminals to be released early, after serving as little as half their original sentence, if they earn "good time" credits in prison. The Riverside District Attorney's Office attempted to have Dokich committed to a mental institution as a Sexually Violent Predator (SVP) but was unsuccessful.

Initially, the Department of Corrections notified Riverside County officials that Dokich would be released to a home owned by his parents in Sun City. Only days before

his scheduled release did the Department of Corrections learn that the homeowner association's age restrictions prevented Dokich's placement there.

Therefore, at the very last minute, Dokich's placement was changed to Last Chance Enlightenment, a group home for parolees in Mead Valley, located near family homes and a school. The surprise nature of the placement allowed insufficient time for vital notifications and preparations to ensure the safety of both Mr. Dokich and the community.

The result of Dokich's hasty and ill-advised placement has been disastrous. The Mead Valley community and local law enforcement officials received little to no information prior to his release. Community members, concerned for the safety of their children, have conducted daily protests.

AB 1120 aims to correct problems associated with the Dokich release and thereby allow local law enforcement and parole staff sufficient time to collaborate on placement concerns, supervision plans and community notice.

SUPPORT

Department of Corrections (Sponsor)

FOR MORE INFORMATION

Staff:

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Sponsor:

Dean L. Borg
Assistant Director
Legislative Liaison
California Department of Corrections
(916) 445-4737 [Phone]
(916) 323-0902 [Fax]

Bill text and status:

www.assembly.ca.gov/Benoit/

Pro-Active Administration Sex Offender Initiatives

Legislative Initiatives

- Provide statutory authority to place a 45 day hold on the release of any person from prison or local custody if, after being referred by CDC to DMH for Sexually Violent Predator (SVP) evaluation, they “wash out” of the process either due to (1) DMH declining to refer the person to the county for SVP commitment; (2) the county declining to pursue commitment; or (3) civil commitment is rejected in superior court proceedings. This hold would only apply in the instances where the person was facing parole supervision. The purpose of this hold would be to allow local law enforcement and parole staff to collaborate on placement concerns, supervision plans and provide for community notice
- Add a statutory requirement for CDC to provide personal telephone notification to designated officials in District Attorneys Office and Local Police and/or Sheriff’s offices in the instance where a 45 day hold has been placed pursuant to the above provisions. This notification would be in addition to existing written notifications required by law.
- Statutorily establish a Law Enforcement Consortium for the CDC to allow for communications with local law enforcement officials through a formal collaborative process. The Law Enforcement Consortium must allow for open dialogue and problem solving relating to issues around offender re-entry. The statutory authority will task the entity to partner with CDC to provide policy expertise and recommendations on issues that require interaction between parole and local law enforcement representatives, with the goal of increased public safety.