

**Sex Offender Management Board Meeting
September 20, 2007
Meeting Minutes**

Introduction/Reminders

- Call if you are going to be late. Jack Wallace is a good contact, unlikely to yell at you
- Chair Suzanne Brown-McBride is out of the country, so Vice-chair Tobin will conduct today's meeting
- Since the majority of the Board's seventeen members are missing, there can be no vote today
- Members of the board check-in:
 - Gerry Blasingame
 - Catherine Duggan
 - Brenda Epperly-Ellis
 - Janet Gaard
 - Pam King
 - Shirley Poe
 - Sophia McBeth-Childs
 - Dave Runnels
 - Tom Tobin
 - Dianne Webb
 - Absent:
 - Peter Espinoza
- Michael Johnson
- Nancy O'Malley
- Jerry Powers
- Other people present:
 - Mike Carrington
 - Robert Coombs
 - Laurie Harikian
 - Rosie Lamb
 - Jan Neeley
 - Tammy Strobel
 - Don Thompson
 - Jack Wallace
 - Erin West

Minutes

- Pam King mentions many minor errors in last month's minutes and Tom Tobin appreciates her hypervigilance on the matter
- Motions to approve minutes seconded and approved
- Anyone can get on the mailing list in order to receive the agenda, and anyone can attend meetings

Jessica's Law Updates

- Shirley Poe reports that there are about 2700 noncompliant cases statewide. All noncompliant parolees will be arrested 45 days from the date they were notified that they need to be compliant with Jessica's Law. Parole is now serving noncompliant.
- Several relevant current court cases
 - Valdivia lawsuit
 - Court decision in Ohio recently determined that you cannot apply Jessica's law restrictions before the date of the crime
 - New lawsuit filed last week in Stanislaus County: he's 85 years old and has lived in his house for 60 years, but falls under JL by everyone's definition except the attorney general's. Jerry Powers is named in the suit
 - Courts' ruling for northern districts is if parolee released on parole before the effective date, JL cannot be retroactively applied

Problems with Jessica's Law

- Several different theories of retroactivity
 - Based on date of conviction

- Based on date of release
- Based on the date someone moves into a noncompliant area
- Based on the date of offense
- Driving concern is community safety and tent towns are bad for the community
- Problems with transferring people into higher rent districts
 - Example: 1749 people in San Francisco can not live where they need to
 - Janet Gaard wants an Assembly Member to attend in order to hear the issues
- Contributes to likelihood of reoffending
- Jack Wallace notes problem of parolees losing their jobs when taken into custody for noncompliance, and the domino effect of problems from unemployment
- Pam King notes association between reoffending and factors such as higher stress levels, stability of housing and employment.

Motion

- Tom Tobin motions for the Chair to print out a letter to Assemblyman Nuñez, encouraging him to make his two appointments.
- Shirley Poe seconds and the Board votes to accept.
- Duggan suggests that the letter should perhaps come from the governor's office.

Potential Methods of Handling Jessica's Law

- Jessica's Law was brought by a ballot initiative, different rules to amend it.
- Report due in January
 - Topic is analysis of current situation, not recommendations.
 - But nothing precludes Board from making recommendations sooner than the required date.
 - Public education is critical. Need more community awareness. "There is a great deal of misinformation and the public is the ultimate arbiter"
 - Media came out against Jessica's Law but it did not help.
 - CALCASA position paper was very good and dealt with victim protection. Public education is slow and we need to take action now.
- Legislature busy right now.
 - But there can be interim hearings
 - Right now legislature is considering what bills they are going to carry and are not under the time constraints that they shortly will be.
 - Possible amendment to law to change distance to 500 feet instead of 2000.
 - Exploration of alternatives to banishment

The next meeting is scheduled for October 9th, 2007.