

## INTRADEPARTMENTAL CORRESPONDENCE

BPC #10-0388

September 23, 2010  
8.6

**TO:** Honorable Board of Police Commissioners

**FROM:** Chief of Police

**SUBJECT:** FOLLOW UP RESPONSE TO CITY COUNCIL MOTION 09-0066,  
RELATIVE TO PROCEDURES RELATED TO CONCENTRATIONS OF  
RESIDENTIAL LOCATIONS OF REGISTERED SEX OFFENDERS

### RECOMMENDED ACTIONS

1. That the Board of Police Commissioners (Board) REVIEW and APPROVE this report.
2. That the Board TRANSMIT the attached Fact Sheet pertaining to concentrations of residential locations of registered sex offenders to the Los Angeles City Council.

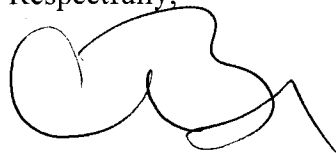
### DISCUSSION

On August 9, 2010, the Los Angeles City Council and Public Safety Committee, continuing CF 09-0066, requested the Los Angeles Police Department to report on the concentration of registered sex offender residential locations. The attached Fact Sheet addresses this request, specifically as it relates to the following issues:

- Residency restrictions.
- Current procedures and legal limitations associated with monitoring sex offenders.

Should you have any questions, please contact Captain Kevin L. McClure, Commanding Officer, Robbery-Homicide Division, at (213) 486-6850.

Respectfully,



CHARLIE BECK  
Chief of Police

Attachments

## FACT SHEET

### **RESPONSE TO PUBLIC SAFETY COMMITTEE REQUEST REGARDING CONCENTRATION OF SEX REGISTRANTS IN RESIDENTIAL LOCATIONS**

September 23, 2010

**Background.** On August 9, 2010, members of the Los Angeles City Council Public Safety Committee requested a report on the concentration, by listing or map, of residential locations of registered sex offenders in the City of Los Angeles. In addition, it was requested that recommendations regarding occupancy thresholds for these locations be established.

Detective Diane Webb, Serial No. 24834, Robbery-Homicide Division Registration Enforcement and Compliance Team (REACT) Coordinator, was requested to provide the information. The REACT is responsible for the registration of sex offenders and enforcement of registration laws.

**Findings.** A similar request and fact sheet was prepared in March 2009 in response to a City Council motion regarding procedures relating to the monitoring of sex offenders, which is attached and partially incorporated into this report. (Attachment 1)

There is no City, County or State definition of a "cluster" of offenders. The only group of registered sex offenders who are subject to residency restrictions are parolees and some individuals subject to felony probation residency restrictions. For example, Penal Code Section 3003.5 prevents parolees from living together in a single family residence unless they are related by blood. This group of offenders represents 20 percent of all registered sex offenders residing in Los Angeles. Grouping of offenders together in living arrangements in apartment buildings, hotel/motels, and "sober living" locations does occur, and is not prohibited by current law.

Necessity requires housing some paroled registrants together due to lack of suitable housing as a result of Proposition 83 "Jessica's Law" restrictions prohibiting offenders from living within 2,000 feet of a school or park where children congregate. Restricting where offenders can live has resulted in a marked increase of homeless/transient registrants. Just prior to implementation of Jessica's Law residency restrictions in October 2007, there were 2,049 homeless sex offenders in California; currently, there are 5,064. In Los Angeles, 191 registrants were homeless in 2007; 576 as of September 2010. In the subset of Los Angeles offenders under active parole supervision, 30 were homeless in 2007; 259 as of September 2010.

According to a report from the California Sex Offender Management Board, "Homelessness Among Registered Sex Offenders in California: The Numbers, the Risks and Response, (December 2008)," some states formally utilize grouped living arrangements as a standard practice. The Shared Living Arrangements (SLA) model is utilized in Colorado in order to house registered sex offenders. According to the Therapeutic Community Treatment Modality (Colorado Department of Public Safety, 2004), offenders live together and are financially responsible for housing cost. There is visiting treatment provided and offenders hold each other accountable for their actions including reporting behavior that would lead to re-offending.

## **FACT SHEET**

### **RESPONSE TO PUBLIC SAFETY COMMITTEE REQUEST REGARDING CONCENTRATION OF SEX REGISTRANTS IN RESIDENTIAL LOCATIONS**

September 23, 2010

In the Los Angeles area, the California Department of Corrections and Rehabilitation Division of Adult Parole Operations (CDCR DAPO), hereafter referred to as "State Parole," must approve all housing locations and map each housing location to ensure that the location is not within 2,000 feet of a school or park where children congregate. Due to the fact that there are few licensed treatment facilities that house sex offenders, registrants are often grouped in "sober living homes," unlicensed facilities usually located in residential neighborhoods. These facilities house six or fewer residents and provide no treatment. A complete City list of sober living facilities was compiled and supplied to the City Planning Department in February 2009, as research was ongoing (per a City Council request, File No 07-3427) regarding feasibility of a local ordinance restricting the facilities. Updated lists of "290 Sober Living/Halfway House," for Operations Valley Bureau, Operations Central Bureau, Operations West Bureau and Operations South Bureau are attached. (Attachment 2)

Grouped housing is not a new concept, and prior to existed residence restriction laws. In 2005, there were 67 group "sober living" locations in the City, housing approximately 235 sex offender registrants. Currently, although the numbers frequently change, there are 25 "sober living" facilities that house multiple sex offender registrants (approximately 150 total). While all the reasons for reduction in sober living residences cannot be firmly established, after implementation of Jessica's Law many would have been located too close to a school or park for State Parole to allow parolees to reside there.

Due to the lack of housing that is compliant with Jessica's Law restrictions, State Parole also houses registrants in multi-unit apartment buildings, duplexes, and adapted/renovated former business locations in mixed-use zones. In addition, oftentimes residential hotel locations are utilized for housing. Housing is often driven by availability rather than suitability and optimal occupancy rates. Many facilities become crowded with registrants, however when the alternative is a transient parolee, State Parole is forced to utilize housing that is geographically compliant with Jessica's Law and to house as many registrants as possible. A memorandum from the Department of Corrections and Rehabilitation, "Restrictions for Allowing Multiple Registered Sex Offenders from Residing in a Single Family Dwelling, February 28, 2008," is attached. (Attachment 3)

Effectiveness of residency restrictions has been called into question through several research studies. <sup>1</sup>Proximity to schools has not been linked to recurrence of sexual assaults (Colorado Department of Public Safety 2004). In a Minnesota study, researchers concluded that residence restrictions would not have prevented any of the 224 recidivistic sexual offenses reviewed (Duwe et al. 2008).

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<sup>1</sup> Cited studies were compiled from the Abstract: Collateral Damage: Family Members of Registered Sex Offenders, authors Jill Levenson (Lynn University) and Richard Tewksbury (University of Louisville), Southern Criminal Justice Association 2009, Published online: 15 January 2009.)

## FACT SHEET

### **RESPONSE TO PUBLIC SAFETY COMMITTEE REQUEST REGARDING CONCENTRATION OF SEX REGISTRANTS IN RESIDENTIAL LOCATIONS**

September 23, 2010

State Parole subsidizes housing costs for the first 60 days after the parolee's release; after that time, the individual is responsible for their own housing costs. Some parolees choose to remain at the same location; other parolees move to other locations approved by their supervising agents and some become homeless.

**Recommendations.** There is no standard for "threshold occupancy" or caps on maximum number of residents. Cities such as Long Beach that have severely restricted occupancy numbers in apartment buildings have forced registrants to move from facilities, treatment and family support to surrounding cities (oftentimes to Los Angeles). Simply shifting the problem from one jurisdiction to another with increasingly restrictive policies is detrimental for the registrant and the community. Focus should remain on establishing housing that both meets the needs of the registrant and of the community, with the common goal of increasing public safety. According to the California Sex Offender Management Board "Homelessness Among Registered Sex Offenders in California: The Numbers, the Risks and the Response (December 2008)," Washington state has agreements with private landlords to provide housing to sex offenders. In the Harbor/Wilmington area of Los Angeles, there are multiple privately owned locations that house offenders. The owners and managers of the locations are responsive to community concerns and provide secured premises and management on-site. Issues are addressed on a case-by-case basis and include collaborative relationships between State Parole, County Probation, police agencies, housing providers and the community.

It is recommended that the REACT continue to monitor grouped residential locations and coordinate with supervising entities to conduct compliance checks at the locations. In addition, information on locations where more than one sex offender resides is readily available to the public in the California Department of Justice Megan's Law internet website [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). This site includes information on disclosable information by residence address or zip code on the majority of California's registrants.

Current law prevents the public disclosure of certain sex registrant's information, including pinpointing a specific residence address, when registrant residence area is revealed by zip code only. On the public website, a mapping query by specific address, location, or zip code denotes either by a small blue square (one offender) or larger blue square (more than one offender) where offenders reside. By clicking on the square, specific information on each offender is displayed. For ease of review, a listing of multiple registrant residence locations (for those registrants identified by residence address) that house three or more registrants has been compiled according to each Los Angeles Police Department Bureau. (Attachment 2) Please note that the listings do not include information on registrants whose information is not available to the public.

Prepared by:  
Robbery-Homicide Division

## MOTION

## PUBLIC SAFETY

Recently, the Los Angeles Police Department (LAPD) was informed that an estimated 47 sex offenders were living in an apartment complex in the City. This cluster of sex offenders was in close proximity to a local high school. Although the individuals were all immediately relocated, this incident highlights the need for better tracking and monitoring of sex offenders. With over 5,000 sex offenders in the City, 923 of whom are on parole, incidents like the one described above will continue to take place if we do not improve our tracking capabilities.

Currently, there are various sex offender databases. The California Department of Justice maintains the Megan's Law sex offender database that is available for the public. LAPD's sex offender monitoring team, the Registration Enforcement and Compliance Team (REACT), monitors the City's registered sex offenders through its internal "290 database." The City Attorney's Safe Neighborhoods Division uses its Citywide Nuisance Abatement Program (CNAP) database in conjunction with the 290 database to monitor sex offenders.

To make matters more complicated, there are three different categories of sex offenders depending on the severity and date of their crimes. Some individuals are also on parole and may have additional restrictions placed on them regarding where they can reside. Ideally, the LAPD and City Attorney would have GIS software to keep track of all sex offenders, differentiated by category and parole status, with locations of schools, parks and other important landmarks clearly indicated. Some of this information should be available to Council offices, particularly the location of large concentrations of sex offenders.

In July of 2006 the LAPD was requested to team up with the City Attorney, County Department of Probation and California State Probation Department to develop a comprehensive database of all parole violators residing in the City who are known sex offenders or violent criminals (CF#06-1648). The LAPD responded in January of 2007 that they regularly check the California Department of Corrections and Rehabilitation's website to get information about sex offenders who have been released within the prior 60 days.

Although some sex offenders are required to adhere to certain residency restrictions, it is not illegal for several offenders to live in an apartment complex. Research shows that this often works better for law enforcement as it makes it easier to track individuals. The City should take steps to better track and monitor where sex offenders live so that we can inform law enforcement agencies about nearby facilities like proposed new schools that may make certain locations inappropriate. This may require adding technological capabilities to the existing database.

I THEREFORE MOVE that the Council request the LAPD, Information Technology Agency and City Attorney to report on: 1) current procedures and legal limitations associated with monitoring sex offenders; 2) how a sex offender cluster is defined; 3) the feasibility of automatically notifying Council Offices of the existence of a sex offender cluster in their district; and 4) any other recommendations for improving sex offender database monitoring capabilities.

PRESENTED BY: 

JOSE HUXZAR

Councilmember, 14<sup>th</sup> DistrictSECONDED BY: 

AD

09-0066

**RESPONSE TO COUNCIL MOTION REGARDING PROCEDURES RELATED TO  
MONITORING OF SEX OFFENDERS**

March 24, 2009

**Background.** On January 9, 2009, Los Angeles City Councilmember Jose Huizar requested a report on the Department's activities relative to current procedures and legal limitations associated with monitoring sex offenders, how a sex offender "cluster" is identified, the feasibility of automatically notifying City Council offices of the existence of a sex offender "cluster" within their district, and any recommendations for improving sex offender database monitoring capabilities.

**Findings.** The Department's Registration Enforcement and Compliance Teams (REACT) are the specialized investigative entities tasked with sex offender registration and enforcement. The REACT processed registration on 5,130 registrants currently residing in LAPD jurisdiction. Registered sex offenders are required to register an address change within five working days and to update their information annually, within five working days of their birthday. Some sex offenders must update more often: transients must update every 30 days, and sexually violent predators, every 90 days. The REACT's 32 investigators routinely process 700-900 such registrations per month. Information from completed registration forms is directly entered into the California Department of Justice (DOJ) Violent Crime Information Network (VCIN). The VCIN database is the basis for the information displayed to the public on the Megan's Law website ([www.meganslaw.ca.gov](http://www.meganslaw.ca.gov)).

Information collected on the offenders, including residence, associated and work addresses, identifiers including scars, marks and tattoos, vehicles, photos, and modus operandi is entered into the comprehensive LAPD 290 database. The database is utilized to scrutinize registrant information against suspect information in unsolved crimes and currently contains information on over 7,000 current and prior registrants.

The REACT officers also obtain DNA samples from registrants, ensure information in the Megan's Law listings are current and accurate, monitor and investigate notifications from DOJ, California and out of state law enforcement agencies regarding "out of compliance" registrants and registrants intending to reside in Los Angeles, respond to community member tips regarding non-compliant registrants and investigate and present to prosecutors violation cases for criminal filing.

**Current Procedures and Legal Limitations Associated with Monitoring Sex Offenders**

Periodic field compliance checks, often in conjunction with local, county, state, and federal agencies are utilized to verify registrant information and initiate violation investigations. The REACT officers also have the capability of tracking paroled sex offenders via the Veritracks Global Positioning System. Participation in task forces and specialized operations such as the Los Angeles City Attorney L.A. SAVES program and the Internet Crimes Against Children Task Forces serves to reinforce a strong working relationship with Los Angeles County Probation, California Department of Corrections and Rehabilitation, Department of Children and Family

## **FACT SHEET**

### **RESPONSE TO COUNCIL MOTION REGARDING PROCEDURES RELATED TO MONITORING OF SEX OFFENDERS**

March 24, 2009

Services, Los Angeles Unified School Police, United States Probation and Immigration and Customs Enforcement.

There are no specific limitations associated with the monitoring of sex offenders. In fact, the registration information offenders are required to provide, pursuant to Section 290 of the California Penal Code, gives law enforcement substantially more intelligence information on sex offenders than on other convicted offenders.

#### **Definition of Clusters and Feasibility of Release of Information**

There is no city, county or state definition of a "cluster" of offenders. The only group of registered sex offenders who are subject to residency restrictions are parolees and some individuals subject to felony probation residency restrictions. For example, Penal Code Section 3003.5 prevents parolees from living together in a single family residence unless they are related by blood. This group of offenders makes up only 20% of all registered sex offenders residing in Los Angeles. Grouping of offenders together in living arrangements in apartment buildings, motels, and "sober living" locations does occur, and is not prohibited by current law.

Necessity requires housing some paroled registrants together due to lack of suitable housing due to Proposition 83 "Jessica's Law" restrictions prohibiting offenders from living within 2000 feet of a school or park where children congregate. According to the latest report from the California Sex Offender Management Board, "Homelessness Among Registered Sex Offenders in California: The Numbers, the Risks and Response, (December 2008)," some states are using grouped living arrangements and close supervision to provide a stable housing environment for offenders with the goal of increasing community safety.

Information on locations where more than one sex offender resides is readily available in the California Department of Justice (DOJ) Megan's Law internet website [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). A mapping query by specific address, location or zip code denotes either by a small blue square (one offender) or larger blue square (more than one offender) where offenders reside. By clicking on the square, specific information on each offender is displayed. Another feature includes the ability to display the locations of additional registrant residences in a specified perimeter. For ease of review, a listing of multiple registrant residence locations has been compiled by council district (attached.)

In addition, REACT is compiling a list of sober living facilities (unlicensed single family dwellings housing six or fewer persons) that house multiple sex offenders. The information will be supplied to the City Planning Department for a "Special Needs Housing" analysis and possible future ordinance.

## FACT SHEET

### **RESPONSE TO COUNCIL MOTION REGARDING PROCEDURES RELATED TO MONITORING OF SEX OFFENDERS**

March 24, 2009

**Recommendations.** Sex offender registration enforcement efforts could be improved by allocation of additional sworn and clerical personnel to the existing seven REACT units throughout the Department. Addition of Records and Identification Division personnel would improve timely entry of registration information into the state registry and would ensure that the information the public views on Megan's Law is as current. Recent improvements accomplished by existing personnel and Information Technology Agency (ITA) programmers includes automatic "alerts" on annual violations when an offender fails to update registration within five working days of his/her birthday. Future upgrades include geomapping of offenders' work and associated addresses.

It is recommended that for City Council office information, the Megan's law website be utilized to view information regarding where multiple sex offenders reside. Additional information on REACT tracking and monitoring of sex offenders can be obtained by contacting Detective Diane Webb, Robbery Homicide Division REACT Coordinator at 213 473-4737.

Prepared by:  
Detective III Diane Webb  
REACT Coordinator  
Robbery Homicide Division



SOBER LIVING/ /APARTMENT/HOTEL/MOTEL

**REACT UNIT**

290 SOBER LIVING/HALFWAY HOUSE

REACT UNIT \_\_\_\_\_ OPERATIONS CENTRAL BUREAU

JULY 2010

NAME & ADDRESS	OWNER & CONTACT INFORMATION	SOBER LIVING?	HALFWAY HOUSE?
809 E 5th Street, Los Angeles, CA 90013	Salvation Army Safe Harbor - (213)626-4786		
303 E 5th Street, Los Angeles, CA 90016	Los Angeles Mission - (213)629-1227		
622 S Wall Street, Los Angeles, CA 90014	Volunteers Of America-Bellington (213) 623-8580		
1222-24 E Adams Blvd, Los Angeles, CA 90011	MI Primera Casa - (323)-359-6621		
523 S. San Julian, Los Angeles, CA 90013	Marshall House - (213) 229-9685 Contact Kenneth Stuart		
543 S. Crocker St Los Angeles Ca 90013	Volunteers of America-Transition House (213) 623-8580		
206 W. 6th Street Los Angeles 90014	Hayward Hotel		
520 S. Wall Street Los Angeles 90014	Courtland Apartments/Hotel		
121 E. 5th Street Los Angeles 90013	King Edward Hotel		
423 E. 7th Street Los Angeles Ca 90014	Madison Hotel		
710 S. Broadway Los Angeles Ca 90014	Yorkshire Apartment Hotel		
4949 Valley Blvd Los Angeles 90032	Star Light Inn		

**REACT UNIT: OPERATIONS WEST BUREAU**

1

290 SOBER LIVING/HALFWAY HOUSE  
APARTMENT/HOTEL/MOTEL

REACT UNITS: OPERATIONS SOUTH BUREAU

NAME & ADDRESS	COUNCIL DISTRICT	OWNER & CONTACT INFORMATION	SOBER LIVING?	HALFWAY HOUSE?
728-730 Flint Avenue, Wilmington	15	TOM LEWIS (714)235-2884		YES
710-716 Pioneer Avenue, Wilmington	15	BRADLEY YOURIST (877)529-1542		YES
779 Flint Avenue, Wilmington #A, B, C, D	15	TOM LEWIS (714) 235-2884		YES
777 Flint Avenue, Wilmington #1, 2, 3, 4	15	TOM LEWIS (714) 235-2884		YES
739 Flint Avenue, Wilmington #A, C, D	15	TOM LEWIS (714) 235-2884		YES
1558 W. 208 <sup>th</sup> ST #3, 4	15	TOM LEWIS (714) 235-2884		YES
1520 W. 204 <sup>th</sup> ST. #1, 2, 3, 4, 5	15	TOM LEWIS (714)235-2884		YES
1527 W. 204 <sup>th</sup> ST. #5, 6	15	TOM LEWIS (714) 235-2884		YES
1605 Torrance Blvd	15	TOM LEWIS (714) 235-2884		YES
1611 Torrance Blvd.	15	TOM LEWIS (714) 235-2884		YES
1606 208 <sup>th</sup> St.. #4	15	TOM LEWIS (714) 235-2884		YES
7804/7808 S. Western Ave./ 78 <sup>th</sup> Ave Inc		Garnett Parker 323 750 1108	Yes	
5833 Bonsallo Ave Bear Institute		Carl Evans 323 565 4045		
8311 S. Western Ave. American Philanthropy		Deloris Millage 323 753 1900		
7827 S. Crenshaw Bl. Look Motor Inn		Motel		
848 E 113 <sup>th</sup> Street Joshua House		Henry Thomas 323 376 7919	Yes	
351 E. Century Bl. Promise Land		Vickie Strogan 818 585 4896	Yes	
835 W. Rosecrans Blvd		Apartments		
3904 Steavly Ave. Brighter Beginnings		Charles 323 292 4937	Yes	

## Memorandum

Date : February 28, 2008

To : Regional Parole Administrators  
District Administrators  
Unit Supervisors  
Parole Agents

Policy Number 08-13

Subject: **RESTRICTIONS FOR ALLOWING MULTIPLE REGISTERED SEX OFFENDERS  
FROM RESIDING IN A SINGLE FAMILY DWELLING – PENAL CODE SECTION  
3003.5(a) COMPLIANCE**

This memorandum represents the California Department of Corrections and Rehabilitation (CDCR), Division of Adult Parole Operations (DAPO) policy and procedures for compliance with California Penal Code (PC) Section 3003.5(a), sex offender registrant parolees residing in single family dwellings with other sex offender registrants. This memorandum supersedes all previous policy memorandums relative to this subject, inclusive of Policy Numbers 98-22, 00-02, and 05-16.

### **Penal Code Section 3003.5(a)**

*California Penal Code Section (PC) 3003.5(a) reads, "Notwithstanding any other provision of law, when a person is released on parole after having served a term of imprisonment in state prison for any offense for which registration is required pursuant to Section 290, that person may not, during the period of parole, reside in any single family dwelling with any other person also required to register pursuant to Section 290, unless those persons are legally related by blood, marriage, or adoption. For the purposes of this section, "single family dwelling" shall not include a residential facility which serves six or fewer persons."*

**By April 1, 2008, each Region shall ensure that EACH sex offender registrant, pursuant to PC 290, who is currently in the community and under the active supervision of a parole agent, is in compliance with the restrictions set forth in this policy. The SEX OFFENDER AUDIT CHECKLIST (Attachment A) shall be utilized for purposes of capturing the audit results and to guide Unit Supervisors in correcting deficiencies. Thereafter, the restrictions set forth shall continue to be enforced as sex offenders are released to the supervision of the Division of Adult Parole Operations; however, completion of Attachment A shall not be required. For purposes of this audit, Regional Parole Administrators shall ensure that Unit Supervisors and District Administrators are provided additional assistance, in the form of personnel, to ensure compliance with this directive.**

**A COMPREHENSIVE SEX OFFENDER CHECKLIST (Attachment B) has been included as a reference guide for Unit Supervisors to utilize during case reviews.**

Regional Parole Administrators  
District Administrators  
Unit Supervisors  
Parole Agents  
Page 2

## Policy

Effective immediately, the Region shall ensure that all registered sex offenders are in compliance with the residence requirements annotated in PC 3003.5(a). Registered sex offenders who are on parole shall not reside in a single family dwelling with any other registered sex offender, whether or not that registered sex offender is on parole, unless the offenders are related by blood, marriage or adoption.

For the purposes of this direction, a single family dwelling shall be defined as a residence, unit, or room intended to be used by one family. This shall include, but is not limited to; houses designed for one family, single units of a duplex or multi-plex housing unit, dwellings subdivided into more than one unit if each unit is fully self-contained, i.e. own bathroom and kitchen area and has its own physical address; a single unit in a multi-unit apartment complex, hotel, motel or Inn; or a mobile or motor home occupying a single, self contained space in a trailer park, recreational vehicle, or other similar facility.

Residential Facilities are defined as any family home, group care facility, or similar facility for 24-hour non-medical care of a person in need of personal services, supervision, or assistance essential for sustaining the activities of family living or for the protection of the individual. Residential Facilities which **serve more than six persons** must be in compliance with local ordinances, conditional use permits (if applicable) and State law, regardless of the number of individuals housed within a facility.

Pursuant to Health and Safety Code 1566.3, a Residential Facility that serves **six or fewer persons** shall be considered a residential use of property. **As such, no conditional use permit shall be required for a Residential Facility, which services six or fewer persons, which is not already required of a family dwelling of the same type in the same zone.**

**DAPO staff shall not be required to confirm the existence or absence of compliance with applicable ordinances as required through the city/county and/or State. However, parole staff shall be required to obtain verbal compliance with such applicable ordinances from the manager/owner prior to placing parolees within the confines of the facility.**

A Residential Facility which serves six or fewer persons does not constitute a "single family dwelling," and as such, may occupy up to six registered sex offenders, regardless of their relationship. However, clustering of sex offenders is discouraged whenever possible.

Regional Parole Administrators  
District Administrators  
Unit Supervisors  
Parole Agents  
Page 3

PC Section 3003.5(a) does not apply to registered sex offenders residing in multi-family dwellings, such as cold weather shelters or community care facilities which are designed to house multiple families in a "community living environment." Community living environments may include facilities that have private or semi-private sleeping quarters, but common use bathroom and kitchen facilities.

Parolees who are found to be out of compliance shall be instructed to immediately relocate to a compliant setting. Failure to follow instructions shall result in arrest and a referral to the Board of Parole Hearings.

<b>Residence Description</b>	<b>Number of Unrelated Registered Sex Offenders Allowed</b>
Single family dwelling, i.e., a house, which is not designated as a Residential Facility.	One (1)
Residential Facility which serves six (6) or fewer persons	Six (6) or fewer persons
Residential facility which services more than six (6) persons.	There is no restriction on the number of registered sex offenders allowed to reside at this facility. For example, if the facility serves 8 persons, then all 8 can be sex offenders.
Multi-Unit dwellings, i.e., an apartment complex, motel, hotel or Inn.	Multiple offenders are allowed to reside at the complex, but only one (1) per single unit. The single unit may consist of a suite with two bedrooms.
Multi-family dwellings, such as shelters, or community living environments which have private or semi-private sleeping quarters, but common bathroom and kitchen facilities.	There is no restriction on the number of registered sex offenders allowed to reside in multi-family dwellings, as long as there is no more than one sex offender per private or semi-private quarters.

In addition to the above noted restrictions, all residential settings must also be in compliance with the restrictions set forth in Jessica's Law, as defined in PC 3003(g), if the registered sex offender was released from custody on or after November 8, 2006. Please refer to Policy Numbers 07-36, 07-48, and 08-14.

Regional Parole Administrators  
District Administrators  
Unit Supervisors  
Parole Agents  
Page 4

### **Unit Supervisors and District Administrators**

The Unit Supervisor (US) and District Administrator (DA) shall conduct a case review for each registered sex offender assigned to his/her respective Parole Unit to ensure compliance with all applicable residence restrictions, inclusive of PC 3003.5(a). For purposes of this audit only, rank and file parole agents shall not be required to conduct a case review in accordance with current standards.

The US/DA shall:

- Ensure that the distance restrictions, as annotated in Policy Number 08-14, are strictly adhered to.
- Ensure that noncompliant parolees who fail to follow instructions to become compliant immediately are placed in custody and in accordance with current arrest procedures.
- Ensure the owner/manager of Residential Facilities have provided verbal confirmation that the facility is in compliance with applicable ordinances. This information may be obtained by the Agent of Record during their next scheduled home visit, which shall be documented on the Record of Supervision.
- Ensure a Sex Offender Audit Checklist is completed and maintained on the left side of the field file, for each registered sex offender assigned to the Parole Unit, by April 1, 2008. Additionally, the US/DA shall ensure that any sex offenders found to be out of compliance with any noted section of the Sex Offender Audit Checklist are immediately brought into compliance.

### **District Administrator**

The District Administrator (DA), or designee, shall ensure that all registered sex offenders assigned within the District are supervised in accordance with applicable laws, regulations and departmental policy. Due to the heightened sensitivity level of the community with regard to sex offenders, the DA shall communicate directly with senior local law enforcement staff, Captain or above, to ensure they are aware of the identification and placement of sex offenders in their communities. DAs shall maintain a record of this communication for future reference.



Regional Parole Administrators  
District Administrators  
Unit Supervisors  
Parole Agents  
Page 5

**Regional Parole Administrator**

The Regional Parole Administrator (RPA), or designee, shall ensure that all registered sex offenders assigned to the region are supervised in accordance with all applicable laws, regulations and departmental policy. The results of the audit for the Region shall be captured in the attached spreadsheet entitled, "**Sex Offender Compliance Audit Results.**" Delivery of this information shall be forwarded via e-mail to the following individuals no later than April 15, 2008:

[Margarita.Perez@cdcr.ca.gov](mailto:Margarita.Perez@cdcr.ca.gov)  
[Kevin.Sandino@cdcr.ca.gov](mailto:Kevin.Sandino@cdcr.ca.gov)  
[William.Dunkak@cdcr.ca.gov](mailto:William.Dunkak@cdcr.ca.gov)  
[John.Fields@cdcr.ca.gov](mailto:John.Fields@cdcr.ca.gov)

Staff shall ensure that all registered sex offenders are in compliance with all applicable laws relative to placement, as well as ensuring that all valid special conditions of parole are adhered to. Clustering of sex offenders in compliant housing shall be avoided if at all possible.

If you have any questions, please contact Margarita E. Perez, Parole Administrator, Parole Operations, DAPO, at (916) 445-1787 or via e-mail at [ParoleSVPHRSO@cdcr.ca.gov](mailto:ParoleSVPHRSO@cdcr.ca.gov).



THOMAS G. HOFFMAN  
Director  
Division of Adult Parole Operations

Attachments

**SEX OFFENDER AUDIT CHECKLIST Name:**  
**Attachment A**

**CDC #:**

Requirement	Yes	No
<b>Post-Release</b>		
Is the parolee in compliance with the distance restrictions pursuant to Policy Number 08-14?		
Is the parolee residing in a single family dwelling, not defined as a residential facility, with any other registered sex offenders who are not related by blood, marriage or adoption?		
Is the parolee's sex offender registration current pursuant to PC 290?		
If the parolee is transient and subject to the provisions of Jessica's Law, does he or she report every day by phone or in person, and is that contact noted in the Record of Supervision?		
If the parolee is transient and subject to the provisions of Jessica's Law, does he or she report in person to the parole unit at least once per week and is that contact noted on the Record of Supervision?		
If the parolee is transient, does he or she update the PC 290 registration every 30 days, and is the new registration provided to the AOR within five working days of update and entered into CalParole?		
If the parolee is transient, does he or she sleep in more than three different locations throughout the month? If not, the parolee may not be considered transient by definition, and should be registered at the noted addresses. The addresses must be in compliance with Policy Number 08-14.		

**COMPREHENSIVE SEX OFFENDER CHECKLIST** Name: \_\_\_\_\_  
Attachment B

CDC #: \_\_\_\_\_

Requirement	Yes	No
<b>Pre-Release</b>		
Law Enforcement Notice of Release made 60 days prior to release pursuant to Policy 08-11?		
Was/Is parolee supervised at High Control or greater during a minimum of 12 months of continuous months of parole pursuant to Policy 96-08?		
Is the PC 290 Flag checked "Yes" in CalParole?		
Was a STATIC-99 or other HRSO assessment completed pursuant to Policy 07-38?		
If a STATIC-99 was conducted on the parolee, is the final assessment score four (4) or greater?		
If yes, is the parolee designated an HRSO or downgraded pursuant to Policy 07-32?		
Are special conditions of parole imposed relative to distance and residency restrictions pursuant to Policy Number 08-14?		
<b>Post-Release</b>		
Did the parolee report within 48 hours of release or the first working day, whichever is sooner pursuant to PC 3060.7?		
Was the initial interview completed within three working days of release pursuant to the current Memorandum of Understanding, Bargaining Unit 6?		
If the parolee is subject to Jessica's Law <u>only</u> , is the residence in compliance within the 2,000 foot restriction to any school K-12, or park where children regularly gather, pursuant to PC 3003.5(b)?		
If the parolee is an HRSO, and has a current or prior conviction for PC 288 or its subsections, or PC 288.5, is the residence in compliance with Policy Number 08-14? (1/2 Mile from a school)		
If the parolee is an HRSO, and has a current or prior conviction for PC 288 or its subsections, or PC 288.5, AND subject to Jessica's Law, is the residence compliant with both requirements? (1/2 mile from a school K-12, and 2,000 feet from a park where children regularly gather)		
Is the parolee residing in a single family dwelling, not defined as a residential facility, with any other registered sex offenders who are not related by blood, marriage or adoption?		
Did the parolee register as a sex offender with the law enforcement agency having jurisdiction over his or her residence within five working days of release pursuant to PC 290?		
Did the parolee provide the Parole Agent with a copy of his or her sex offender registration within six working days of release, pursuant to PC 290?		
Is the parolee's current address and registration information updated in CalParole within five days of discovery per Bargaining Unit 6 Memorandum of Understanding, Section 19.06 Addendum?		
If the parolee is transient, is he or she registered with the law enforcement agency having jurisdiction over the parolee's location pursuant to PC 290?		
If the parolee is transient, does he or she report every day by phone or in person, and is that contact noted in the Record of Supervision pursuant to Policy 07-36?		
If the parolee is transient, does he or she report in person at least once per week and is that contact noted on the Record of Supervision pursuant to Policy 07-36?		
If the parolee is transient, does he or she update the PC 290 registration every 30 days, and is the new registration provided to the AOR within five working days of update and entered into CalParole?		
If the parolee is transient, does he or she sleep in more than three different locations throughout the month? If not, the parolee may not be considered transient by definition, and should be registered at the noted addresses, and the addresses should be in compliance with Jessica's Law.		
If the parolee is subject to lifetime GPS monitoring, and is within 60-90 days of discharge from parole, has the law enforcement agency that has jurisdiction over the parolee been notified of the pending discharge pursuant to Policy Number 08-XX? (N/A -- Pending Negotiations).		

# SEX OFFENDER COMPLIANCE AUDIT RESULTS

Region: \_\_\_\_\_

Date: \_\_\_\_\_

Status	Total Cases Audited	Number of Cases Found to be Out of Compliance With Distance Restrictions, i.e., 1/2 mile, 2,000 feet	Number of Cases Found to be Out of Compliance With <u>Current</u> Registration Requirements	Number of Cases Found to be Out of Compliance With Housing Restrictions. For example, multiple sex offenders living in one motel room, one apartment, or residential facility without the appropriate license, permit, and/or conditional use permit.
Status of Cases at the Time Audit was Conducted				
Current Status of Cases	N/A			

In the following section, please provide a plan, with benchmarks, on how and when deficiencies will be corrected, by category.

## CORRECTIVE ACTION PLAN

Region: \_\_\_\_\_