

Sebastopol City Council Resolution
Opposing November 2006 California Ballot Initiative **Proposition 83:**
The Sexual Predator Punishment and Control Act, also known as “**Jessica’s Law**”

WHEREAS, the City of Sebastopol supports effective laws to prevent sexual offenses against children and adults and enforces measures to protect the community from re-offense by high risk convicted sex offenders, and

WHEREAS, while the title of Proposition 83 suggests its purpose is to control and punish sexual predators, its most expensive and restrictive provisions also apply to misdemeanor offenders and others convicted of minor, nonviolent offenses, and

WHEREAS, it is an unfunded mandate and would require local jurisdictions to spend money which would be better utilized for real crime prevention activities, and would divert limited law enforcement resources from focused attention on those who pose the most risk because it groups low, no risk and rehabilitated ex-offenders together with repeat and violent predators, and

WHEREAS, if approved by the voters, the law is expected by both proponents and opponents to be challenged in court, incurring expensive litigation and putting the law on hold for years, and

WHEREAS, the measure would enact laws that do nothing to prevent the commission of sex crimes since nonpartisan government studies show that over 90% of offenses against minors are perpetrated by family members or others who already have access to the child, and

WHEREAS, this law would exclude all registered sex offenders from living within 2,000 feet of a school or park although private, institutional and government studies have found no relationship between re-offense and the offender residing near a school or park, and

WHEREAS, the law undermines civil liberties by singling out a particular group for unusually harsh and retroactive punishment through the imposition of lifetime residency restrictions and tracking with Global Positioning Devices, adding on punishments and burdens after the fact to men and women who have served their sentences—in some cases, decades ago with no re-offense—and who have lived in and/or owned their homes prior to the enactment of the law, and

WHEREAS, Proposition 83 forces ex-sex offenders from their homes even if their conviction had nothing to do with predatory behavior or any criminal behavior with a child, and even if their convictions have been overturned, and

WHEREAS, it imposes residency restrictions which have the unintended consequences of creating financial hardship and disruption of the families of ex-offenders through their displacement and banishment from school districts, relatives, community support, churches, services and jobs and virtually every urban area in California, and

WHEREAS, the monitoring of ex-sex offenders would be made more difficult due to large numbers who will stop registering or become homeless and impossible to track, as has happened in other states with similar residency restrictions

NOW, THEREFORE, be it resolved that the City of Sebastopol opposes Proposition 83 and endorses reasoned and appropriate legislation based on sound studies and the utilization of existing laws to keep our community safe from sexual and violent crime.