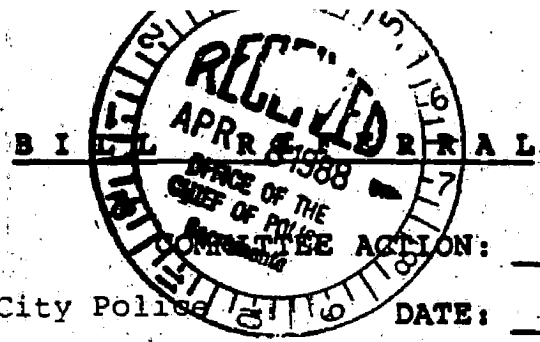


7



DATE: April 8, 1988  
TO: Chief Kearns, City Police DATE: \_\_\_\_\_  
FROM: KENNETH EMANUELS, LEGISLATIVE REPRESENTATIVE  
REPLY NO LATER THAN: April 25, 1988

A.B. 3493 (Moore) S.B. \_\_\_\_\_ Relating to crimes: gang violence: prevention fund

**STATUS:**

Please review the attached measure to determine its effect upon the City of Sacramento and complete the following questions as appropriate. During your analysis of this measure, if questions arise, please feel free to contact Kenneth Emanuels at 442-0412. This questionnaire should be returned to the City Attorney's Office for presentation to the Council Committee on Law and Legislation. PLEASE LEAVE THE BILL ATTACHED TO THIS FORM.

If you think no Committee action on this bill should be taken, either because the bill is not of sufficient importance to the City or for any other reason, please mark here, do not fill out the rest of the form, and return this form to the City Attorney's Office. \_\_\_\_\_

PLEASE TYPE YOUR RESPONSE

1. Briefly describe the provisions of the bill (attach additional sheets if necessary).

This bill would create a Gang Violence Prevention Fund which would provide grants to local programs for the purchase of equipment relating to the identification, tracking, apprehension, and prosecution of those who participate in criminal gang activity.

2. Should this measure be: (Please circle desired position)

- Supported
- Opposed
- Supported if Amended
- Placed on Watch List
- Other (explain)

3. Please explain your reasons for the above determination, including how this measure effects your Department and the fiscal impact of this measure to the City. Please make your comments in a format that can be used in a letter to State officials. (Continue on next page or attach additional sheets if necessary.)

The Sacramento Police Department supports any measure which is aimed at impacting criminal gang activity. Gang activity and the associated gang violence is growing much faster than the available resources to combat this situation. The Police Department has been fortunate to receive prior grant funds from O.C.J.P. which have been utilized in the suppression and prevention of criminal gang activity.

(Continue answer to Question No. 3 here) One of the more significant uses of prior grant funds was the purchase of a microcomputer which the Sacramento Police Department uses to maintain a record of all known gang members. It is a known fact that gang members travel between cities to conduct their criminal activities. The establishment of compatible computerized information systems by other law enforcement agencies impacted by criminal gang activity would allow for the exchange of information between agencies on known gang members.

4. Specify the City's legislative policy guideline(s) applicable to this measure (if any).

None that we are aware of.

5. If this measure could be amended to either improve its favorable aspects or to minimize its adverse aspects, which amendments would you propose?

The wording of this bill restricts the proposed funds to the purchase of equipment. Making funds available for the salaries of persons involved in the identification, tracking, apprehension, and prosecution of those who participate in criminal gang activity would have a much greater impact on reducing gang activity.

6. List known support or opposition to this measure by groups with which you are familiar and include addresses and phone numbers, if known. League of California Cities position:

Unknown.

7. Does this bill involve a State-mandated local program? If so, does the bill contain an S.B. 90 waiver, or an appropriation for allocation and disbursement to local agencies pursuant to Revenue and Taxation Code Section 2231?

No.

8. Using a rating scale of 1 to 10 (with 10 as the most important), how important do you think this bill is to the City of Sacramento? The way it currently reads, this bill is rated at a 6. If salaries were also included, the bill would be rated at a 10.

STEVE COOK, ADMIN ASST II

FORM COMPLETED BY:

OFFICE OF THE CHIEF

DATE: 5-13-88

PLANNING + FISCAL SECTION

AMENDED IN ASSEMBLY MARCH 22, 1988

CALIFORNIA LEGISLATURE—1987-88 REGULAR SESSION

ASSEMBLY BILL

No. 3493

Introduced by Assembly Member Moore

February 17, 1988

An act to amend Section 11353 of the Health and Safety Code, relating to controlled substances; An act to add and repeal Chapter 3.4 (commencing with Section 13825) of Title 6 of Part 4 of the Penal Code, relating to crimes, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 3493, as amended, Moore. *Controlled substances: minors Crimes: gang violence: prevention fund.*

Existing law provides that every person 18 years of age or over who in any voluntary manner solicits, induces, encourages, or intimidates any minor with the intent that the minor shall violate specified provisions of law with respect to specified controlled substances shall be punished by imprisonment in the state prison for a period of 3, 5, or 7 years.

This bill would provide that an element of the above offenses is that the minor shall knowingly violate the specified provisions of law.

Existing law establishes in the Office of Criminal Justice Planning, the Gang Violence Suppression Program, a program of financial and technical assistance for specified agencies and organizations which are primarily engaged in the suppression of gang violence, as specified.

This bill would create in the State Treasury a Gang Violence Prevention Fund to be administered by the Office of Criminal Justice Planning, as specified, which would be made available, as specified, as grants to local programs for the

purchase of equipment for, and the coordination of efforts relating to, the identification, tracking, apprehension, and prosecution of those who participate in criminal gang activity. The fund would be continuously appropriated for those purposes. The bill's provisions would remain in effect only until June 30, 1992, unless that date is deleted or extended, as specified.

Vote: ~~majority~~  $\frac{2}{3}$ . Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1     ~~SECTION 1.~~ Section 11353 of the Health and Safety  
2     SECTION 1. Chapter 3.4 (commencing with Section  
3     13825) is added to Title 6 of Part 4 of the Penal Code, to  
4     read:

5

6

CHAPTER 3.4. GANG VIOLENCE PREVENTION

7

8     13825. There is hereby created in the State Treasury  
9     a Gang Violence Prevention Fund to be administered by  
10    the Office of Criminal Justice Planning, according to  
11    rules or regulations promulgated by the Executive  
12    Director of the Office of Criminal Justice Planning.  
13    Money in the fund is continuously appropriated for the  
14    purposes of this chapter.

15    13825.1. All funds disbursed from the Gang Violence  
16    Prevention Fund shall be made available only for (1) the  
17    purchase of equipment used in the identification,  
18    tracking, apprehension, and prosecution of those who  
19    participate in criminal gang activity, or (2) the  
20    coordination of efforts by state and local law enforcement  
21    agencies to identify, track, apprehend, and prosecute  
22    those who participate in criminal gang activity.

23    13825.2. Any city, county, or city and county, or  
24    department or office thereof, shall be eligible to apply for  
25    grants from the Gang Violence Prevention Fund. The  
26    Office of Criminal Justice Planning shall make a good  
27    faith attempt to award grants to programs serving  
28    counties in approximately the same dollar proportion per

1 county as the dollar proportion of the receipts of the  
2 Driver Training Penalty Assessment Fund from that  
3 county.

4 13825.3. One-fourth of the moneys in excess of  
5 budgeted expenditures for driver training purposes in  
6 the Driver Training Penalty Assessment Fund shall  
7 annually be transferred to the Gang Violence Prevention  
8 Fund created by this chapter prior to the transfer of  
9 excess moneys for any other purposes.

10 13825.4. This chapter shall remain in effect only until  
11 June 30, 1992, and as of that date is repealed, unless a later  
12 enacted statute, which is enacted before June 30, 1992,  
13 deletes or extends that date.

14  
15  
16 **All matter omitted in this version of the**  
17 **bill appears in the bill as introduced in the**  
18 **Assembly, February 17, 1988 (J.R. 11).**  
19  
20